

## Arlington County Tenant –Landlord Commission Meeting

### Meeting Minutes April 11, 2018

**Commissioners present:** Michael Campbell, Zachary Butler, Kirit Mookerjee, Kristin Clegg, Kendon Krause (Chair), Kellen MacBeth. Excused absent: Bismah Ahmed.

The meeting was called to order at 7:00 .m. by Chair, Kendon Krause.

**Public Comment:** Mr. Aleksandr Belinskiy’s presentation on proposed amendments to the draft Relocation Guidelines, included reference to the Housing Conservation District policy which is being developed by Housing staff and its possible implications for the relocation guidelines. Also recommended minor changes to staff definitions in the Relocation Plan to include by-right and use permits.

Commissioner MacBeth inquired about the status of the Relocation Guidelines. Staff – Hector Mercado explained that there was a delay in the County Attorney’s office where the draft Plan was being reviewed to include language consistent with site plan conditions. Commission Mookerjee expressed concern about what appears to be lack of transparency by staff, especially as the policy is included for discussion on the April 21, County Board Agenda. It was understood that a final draft would have been approved by the Commission, prior to Board approval. Chair, Krause and Commissioner MacBeth expressed concern about the procedure being unclear. Staff indicated that once the document is cleared by the County Attorney’s Office it would be sent to the Commission.

**Approval of March 14, Meeting Notes:** A few minor corrections were identified and noted. A motion to approve the minutes was moved by Commissioner Campbell and seconded by Commissioner Butler.

#### **Relocation Plan – Colonial Village West (follow up)**

Laura Manville, from AHC presented a written response to questions raised by the Commission after the March 14 presentation. Commissioners had a few clarification questions. Commissioner Clegg express surprise that there is no offer of a “hardship payment” for the inconvenience being caused. Laura Manville responded that due to the existing large relocation budget for Arlington, there is no guarantee that there will relocation payments, committed to this project. In response to the question about how repairs that exceed 30 days will be addressed, Ms. Manville indicated that there was no regulation that specified 30-day limitation. A question with regard to adequate parking being available at alternate properties was addressed as not a major consideration as many residents did not have vehicles. With regard to the timeline and the availability of relocation staff, the response indicated that staff is already on site and responding to residents’ questions.

Commissioners indicated satisfaction with the responses provided and a vote was taken to approve the Plan. The vote was unanimous.

**Eviction (discussion)** - Commissions Clegg and Campbell (both landlords) led a conversation about eviction. The discussion included a description about what generally starts the eviction process is the failure to pay rent as opposed to other instances of lease violations. Take -away from the discussion

- Lease signing – landlords should take time to ensure that residents understand the terms of the lease including rules of conduct and that it is a legal binding contract.
- Definition of rent is defined by landlord- could include various fees i.e. parking, pet fees etc.
- A proper eviction includes appearance in court, a judgement and a notice being served by the Sheriff, often extends over a month

- Other situations which affect the landlord and tenant relationship and has implications for eviction include situations of domestic abuse which is often difficult for landlords, over-crowding and other lease violations.
- The primary interest of the landlord in cases of nonpayment of rent is to acquire possession of the property which allows them to collect rent. They generally prefer avoid evictions due to the cost.
- Several examples of situations involving discrepancies about security deposits and the need for deficiency reports by both the tenant and landlord were discussed.
- Other issues described were reasonable accommodations for tenants receiving public assistance;
- The persons who experience evictions due to non-payment of rent are often affected by a traumatic life event, such as job loss or loss of a relationship which leads to abandonment of the property, not necessarily as a result of low-income earnings.

There was discussion about whether landlords can refer tenants to community programs that provide rent assistance to reduce evictions. In general, this is, left to the individuals to pursue. The impact of evictions on the credit history of renters and whether this is considered by landlords was discussed. Information from the Sheriff's Office, on the number of evictions in Arlington for the last year, was briefly discussed. Chair, Krause commented that this topic should be revisited at another time.

**Chair's Report-** none.

**Member's Report** – none.

Staff Report – Hector Mercado announced the Home Show and Expo Event which was taking place on April 14. Members were reminded of the meeting with Libby Garvey on April 12 6:30-8:30 pm, conference room 3<sup>rd</sup> floor.

Commissioner MacBeth and Chair, Krause will attend the meeting on May 1 representing the Commission at the Library discussion on the book "Evicted".

Affiliate Report - Bu-gata has been contracted to provide Tenant Outreach Services and provided a summary of the types of cases they handled over the past month (March). Their services include advice on interpreting breach of lease notices, 21-30 day notices, advice on how to handle maintenance problems with property management. There was some analysis of the types and number of cases/complaints broken down by property management companies. Comments were made about frequent staff turnover at AHC properties as possibly related to the number of complaints. Chair, Krause thanked them for the report and requested that the information be sent by email to the Commission and that future reports be done at a higher level.

The meeting was adjourned at 8:55 moved by Chair, Krause and seconded by Commissioner Campbell.