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**AMHERST MUNICIPAL AFFORDABLE HOUSING TRUST**  
**PUBLIC MEETING**  
**Thursday, August 13, 2020**  
**7:00 P.M.**

**Virtual Zoom meeting. Video recording available at:**  
<https://www.youtube.com/watch?v=6ZxkSA4qB8s>

**IN ATTENDANCE**

**Members:** Rob Crowner, John Hornik, Carol Lewis, Erica Piedade, Will Van Heuvelen (5)

**Absent:** Sid Ferreira, Tom Kegelman, Paul Bockelman (3)

**Staff:** Nate Malloy, Rita Farrell, John Page

**Guests:** State Representative Mindy Domb, Janna Tetreault of Community Action Pioneer Valley, Hwei-Ling Greeney of Amherst Community Connections, Community Members Maura Keene and Janet McGowan.

Prepared by John Page.

Meeting called to order at 7:05PM.

**1. Announcements**

John report what he learned at the Western Mass Coalition to end Homelessness Meeting. Craig's Doors expects to open October 1 if not before. They are expecting more demand and potentially less space. Only 15 individuals would be permitted to stay at the First Baptist Church to ensure safe social distancing. An emergency solution grant (ESG) has enabled them to rent 20 motel rooms at the University Lodge. Also, the Department of Housing and Community Development (DHCD) is updating Homelessness Information System used by many providers. Anyone who wants to work on the committee selecting the new system should reach out to John.

John also shared an update on local emergency rental assistance programs from CHAPA. The Massachusetts Housing Partnership (MHP) reported on August 6 that 83 communities have adopted such programs, up from 48 reported in the initial survey taken during the month of May. The total amount of local funds pledged is now over \$30 million. Over 50 percent of the funds are from the Community Preservation Act (CPA) or local housing trust funds.

Regarding CDBG funds, The Town of Amherst is pleased to announce the award of \$321,577 in Community Development Block Grant (CDBG) Coronavirus Aid, Relief, and Economic Security (CARES) Act funding from the Massachusetts Department of Housing and Community



Development (DHCD). The Food Pantry at the Amherst Survival Center will receive \$90,000 due to the exponential increase in the need for those services, Family Outreach of Amherst will receive \$52,000 to support residents in retaining their housing and to find affordable housing, and Craig's Doors Resource Center will receive approximately \$20,000 to support individuals experiencing homelessness with case management and in their search for housing.

Another important funding announcement, which John and Nate shared with the Trust is that Town has two sources (one Federal, one State) to reimburse COVID expenses. The Town Finance Director has already submitted the \$250,000 used in the COVID-19 Emergency Rental Assistance Program as a reimbursable expense, meaning the Trust may be reimbursed for the full amount.

**2. Review Minutes from July 9** – Minutes from the July 9, 2020 of the Trust meeting were approved by consensus with the addition of a link to the meeting recording.

### **3. Discussion and Review of Emergency Rental Assistance Program**

#### *Debriefing Round 1*

Janna Tetreault of Community Action Pioneer Valley provided an update on Round 1 of the Emergency Rental Assistance Program. They received 104 online applications. 22 of those did not meet the initial threshold— they were subsidized, all full-time students or did not indicate in their application that they had a COVID-related income loss or reduction. 29 of the applications came in this week. Only a dozen behind in their rent.

Of the remaining 82, staff have been contacting them via phone and email to verify information in their application, correct any errors and send them links via our secure ShareFile system to upload their verification documents. Only 17 applications have completed that process. Of those, 7 applications are approved for the lottery and 10 were denied. 42 applications were incomplete. We have at least 2 dozen applicants that have not responded to the initial phone calls or emails requesting additional information.

Will asked what will happen with those application which remain incomplete. Janna explained their process has been staff attempted three times to engage via email and phone. If they get no response, they must leave the application as incomplete and thus ineligible for Round 1. She also said they will be notifying all those of Round 2.

Janna explained their calculation to determine the assets threshold: if 30% of their project household income plus whatever they had in savings was more than their monthly rent they exceed the assets threshold and thus were not eligible.

#### *Identified Issues and Changes including Any Additions to Rules for Administrator*



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First the Trust discussed how to address tenants with subsidized (Section 8) vouchers which are excluded from this program. Rita explained that subsidized tenants can and should get their income reassessed if COVID-19 has affected their income. However, Janna and Rita both noted that if the tenant is not timely in produce necessary documentation to the Housing Authority, they may go months before an adjustment is approved. Furthermore, expanded SNAP, HIP, and unemployment benefits may have enabled renters subsidized to endure thus far, however, many of those social safety net expansions are being phased out.

Given the data Janna provided on those that applied and the Trust's experience, Trust members concluded that filling the gap for those with a Section 8 voucher but still unable to make their rent remained an unmet need. The method to address it, remained elusive however, because subsidizing (through the Trust Emergency Rental Assistance) this type of tenant would be considered income for that tenant and potentially jeopardize their Section 8 voucher.

The Trust then turned to the question of what flexibility they have around the income eligibility. Nate explained that the limiting factor is usually rooted in the use of CPA dollars which must be used for residents at 100% AMI or below. Nate said he will investigate the possibility of relaxation of these requirements in this year's CPA allocations in response to COVID-19, but also underscored the ability of residents to project their income forward based on hours reductions or job loss related to COVID-19.

Another suggestion Janna raised for the Trust's consideration was instead of asking for a COVID-19 related loss of income, simply a COVID-related reason such as the resulting economic crisis. This could broaden the pool of applicable applicants. Nate, Rita, and Janna agreed some form of income verification is necessary for compliance, but again underscored income projections are acceptable.

Addressing the many incomplete applications and the burden of gathering documents, the Trust members discussed two strategies, firstly through reduction in the required verification documents, and secondly through support.

Janna explained that normally, Community Action would call clients and make an appointment to complete the application together in-person. After the initial visit the client would know what documents that they needed and CAPV staff could assist them in getting them. In this case an online application easier, and more people do start an application, but less completed it or supplied the necessary documents. Additionally, the in-person conversation usually enables staff to asses whether this is the right program or if there is a better on for that client as well as refer other support services.

John suggested the program would be more effective if there was more handholding over the phone. People find these processes difficult, he explained, and it can take weeks to gather



documents, make the necessary phone calls, email, mail, scan, copy etc. and as a consequence people drop out of the pool not because they don't have a need but because they get discouraged or otherwise burdened by other priorities. Trust members agreed that more support and handholding was necessary suggesting a call and walk through for every applicant for Round 2 including those incomplete from Round 1.

Janna also noted that most of their rental assistance programs at Community Action are done on a first come first serve basis and urged the Trust to consider that change.

Hwei-Ling Greeney, Executive Director of Amherst Community Connections shared her concerns and experience with the three families ACC assisted in applying. The one common thread was difficulty gathering necessary documents by the deadline. Nate noted there is a grace period between submission of the application and when all documents are due. Community Action staff will continue to do follow-up to gather required documentation for incomplete applicants. Janna is going to follow up with Hwei-Ling and their clients to resolve any issues with their Round 1 application or enter them in Round 2.

Maura Keene, a member of the public, asked how the suspension of Pandemic Unemployment Assistance (the additional \$600) factors in?

Janna explained that PUA was still available during the application period and that income included that \$600 for many individuals, temporary inflating their income. She also emphasized that the \$600 may have allowed some households to remain current on their rent or not far behind and that its suspension means that they may now be compelled to apply for this program. Janna also noted that Community Action will automatically transfer all the applications to Round 2 even those that were disqualified for income. In the same thread, Nate noted that the eviction moratorium may have led to some households not applying for this assistance yet, but it is important that anyone in rears apply to this program and see if they qualify.

### *Outreach Strategizing*

John posed the question how to do a better job of outreach. He sent the program announcement to a dozen email lists and as soon as the Round 2 Application and Guidelines are finalized, he will send the information out again. Outreach for Round 1 included the following channels:

- Town Council and listing on Town website
- John's Housing Trust Distribution list (about 90 people and organizations)
- John's Housing Advocacy Coalition Distribution list (about 90 overlapping people and organizations)
- Amherst Regional Public Schools family food distribution program
- Family Outreach of Amherst, Amherst Community Connections, Craig's Doors
- Amherst Survival Center
- Amherst Human Services provider network



- Amherst Health Department

Nate also sent information to all 600+ registered landlords in Amherst. They want to keep rent coming in are thus motivated to work with their tenants to enroll in programs such as this. Under normal circumstance the Town gets permission to put information in the mailboxes of major complexes, but that outreach is not happening during COVID. Nate suggested new outreach to Housing Court, schools, the Business Improvement District (BID), and the Chamber of Commerce.

Adding a question to the application asking where they heard about this program, was suggested. Taping into the businesses, colleges and University employee networks as layoffs come was also suggested.

Janna also confirmed that the Round 2 announcement would be in English and Spanish. Mindy Domb stated she would send more outreach strategies she has learned and will help spread the word.

### **Eviction Notices**

Continuing the theme of assistance for vulnerable renters during the time of COVID-19, the Trust turned to the report that some landlords in Town had sent out failure to pay notices that included language that threatened eviction.

This was brought to light when constituents contacted Representative Mindy Domb for support. Clients of Family Outreach of Amherst also reported receiving these letters, to their organizations dismay. Mindy confirmed with the Attorney General that these types of letters are illegal and considered harassment and a threat. Any tenant who is being harassed, threatened, or discriminated against should call AG Hotline or Representative Domb's Office. They will follow up with the landlord and property management directly to resolve the issue. Mindy relayed this message from the Attorney General's Office:

*AG Healey's Civil Rights Division urges any tenant who is being harassed, threatened or discriminated against to call the division's hotline at (617) 963-2917. Tenants who are being unlawfully forced out of their homes should call their local police department and the Attorney General's consumer hotline at (617) 727-8400.*

Mindy also stressed that tenants/residents in Amherst should feel comfortable calling her office at (413) 461-2060 for assistance or intervention.

Mindy further clarified an element of the eviction moratorium — even if a lease is up, on August 31 or example, renters cannot be forced to move. Either the landlord or tenants can



choose to or not to renew the lease for an additional year upon its expiration, however, a tenant cannot be forced out while the moratorium is in effect (currently until October 17).

If tenants are receiving threats of eviction because they are at the end of their lease:

*The eviction moratorium prohibits a landlord from evicting a tenant at the end of the lease, even where the tenant may owe back rent. A tenant staying in a rental property beyond the end date of their lease cannot be evicted until after the moratorium expires on October 17, 2020 (or the expiration date of any future extension).*

*The only reason a landlord could file an eviction action during the moratorium is if there was criminal activity or lease violations that “may impact the health or safety of other residents, health care workers, emergency personnel, persons lawfully on the subject property or the general public.”*

Janet McGowan, speaking as a member of the public, suggested the Town contact the major landlords directly and inform them of the current regulations regarding evictions including those reaching the end of their lease. She also identified a new population that now will need to navigate finding a place to live— those with September 1 leases of a unit that remains occupied.

Nate reported that upon education the issue was immediately corrected at two locations, the property management companies seemed to simply not know the current regulations. He specifically worked with Kamins Real Estate, and the management company for South Point, the latter of which is an out of state entity and immediately sent a correction letter to residents. Nate did underscore, however, there was about a two-week period where these residents were under the stress of threat of eviction and not knowing where to turn. He further stated that he will work with Mindy Domb and the Attorney General’s Office to get the appropriate language and send it out to all landlords.

Trust members stressed that tenants need to be reassured that they are safe and that conversations with landlords through avenues such as the Town’s rental registration program, and business agencies like the Chamber of Commerce so that both tenants and landlords understand the regulations and their rights.

#### **4. Update on ZBA review of Amherst Studio Apartments (132 Northampton Road)**

John reported that the August 6 public hearing before the Zoning Board of Appeals were dominated by commentary on the smoking pavilion location, areas for snow removal (grass pavers), steepness of incline walking to Town, and services coordination plan. Both had substantial public comment. There was substantial public comment.

Trust members expressed concern that the ZBA may be getting “caught up in the weeds.” John asked Trust members and members of the public to come and speak to the need for and urgency of the project at the next meeting of the ZBA, another hearing scheduled for August 20 at 6:30PM via Zoom.

### **5. Setting Housing Goals for Coming Year**

John explained that upon consideration of planning for a virtual Fall housing forum, he discerned the need for clear objectives for the Housing Trust for the year to come. John emphasized the importance of establishing concrete goals so the Trust can complete longstanding unfinished businesses and tackle several of the issues that have been raised since setting goals with new Trust members last summer.

First John outlined given goals:

- Releasing a revised RFP for East Street School Site Development by November. It has been a year since RFP released with too many outstanding questions. The Town now has a contract to do wetlands delineation and present it to the Conservation Commission.
- Completing the Emergency Rental Assistance Program by year end for COVID funding.
- Continuing to promote the development of Amherst Studio Apartments (132 Northampton Rd.)

**These goals were accepted unanimously (5-0-0).**

John then introduced additional goals for the Trust members consideration and welcomed any additional goals from Trust Members:

- Evaluating additional Town property for affordable housing (e.g., Strong Street, Hickory Ridge, Other?)
- Developing a plan for an ongoing rental assistance program (local housing voucher)
- Reviewing and suggesting changes the AMAHT Strategic Plan
- More active legislative advocacy.
- Revising/resubmitting draft Affordable Housing Policy

The Trust discuss each of these and try to reach a consensus on its relative priority level and who would take the lead on each initiative.

Regarding the emergency rental assistance program and ongoing work on assistance for renters in general John, Nate, and Rita planned to continue to work with Community Action on Round 2 of the Emergency Rental Assistance program. The entire Trust will need to consider if it is interested in pursuing funding from CPA and/or allocating more Trust funds to this purpose. Carol raised the Improving Access to Rental Housing Subcommittee



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and its project conducting an environmental study of the resources, challenges, and the barriers navigating affordable rental market. That work came to a stop during COVID, but the Trust committed to restarting it this Fall.

On reviewing the Trust's strategic plan, Erica and Rita committed to working on this item identifying areas to change, highlight, bring to meeting for discussion, supplying edits to bring to the Trust for review.

Regarding legislative advocacy John says he has a call with Representative Domb and Senator Comerford's staff at least once a month each but will begin taking a more active role both with our legislative delegation and by better activating the Housing Coalition. Will offered to help and lead in these efforts citing his legal background.

John said he will take the lead on revising and resubmitted draft affordable housing plan for the Town as he is currently working with Community Resource Committee Chair Mandi Jo Hanneke with input from Planning Board Members on a comprehensive housing policy and accompanied zoning reforms.

Other goals and initiatives were also highlighted.

Nate shared that the Planning Board and Town Staff exploring reforms and revisions to the Zoning Bylaw over the next year and that the Trust should be an active part of that conversation. Nate noted that while often esoteric, zoning policy, is one of the most powerful tools to effect housing development.

John mentioned that the Homelessness Committee, formerly consisting of Jay Levy, Nancy Schroder, and himself needs to be reconstituted with new members. The work continues through John's efforts and the work of the Social Service Network facilitated by the Public Health Department, however, more Trust members engaged in this work is necessary.

Consideration of whether to hold a Fall Housing Forum was also raised.

Erica expressed a desire to commit to concrete tasks and self-imposed deadlines with the hope of moving more items forward. Also, as someone working in the field of public health, she is very busy professionally at this time and is looking for specific ways she can help. Trust members agreed — the need is significant and housing and economic insecurity is only exacerbated by COVID-19, the Trust needs to focus and move items forward to fulfill its mission.

John said he will bring this discussion back at the next Trust meeting and include a calendar or at least time associated with certain goals so Trust Members can begin to rank both priority but also layout a sequence.

## **6. Discussion of Town-Wide Housing Policy**

John informed the Trust that two places where conversations around housing policy are being developed is the Community Resource Committee and Energy and Climate Action Committee.

- **Town Council Community Resource Committee (CRC):** After tabling the AMAHT's draft Town Affordable Housing Policy about one year ago, the CRC is now taking up the much broader and more complicated question of developing a general Town Housing Policy that would incorporate affordable housing. It was scheduled to begin last week, but was postponed at the last minute to Tuesday, August 18, 2 PM.
- **Energy and Climate Action Committee (ECAC):** ECAC has initiated a process that will inform development of the Town's Climate Action, Adaptation and Resiliency Plan. It has four task groups, including a Buildings Task Group. This group last Wednesday evening for the first time. John will provide a meeting summary, once available. Next meeting will probably be later in August.

Development of a new draft housing policy as part of this ongoing work was discussed previously during item 5.

## **7. Legislative Updates**

State Representative Mindy Domb was in attendance and highlighted the following developments at the state level after discussing advocacy for renters against eviction in item 3. She began by explaining that bond bills are reserved high ticket projects usually the building of infrastructure of some nature which require money over a period of time. Since the Legislature itself cannot execute a loan (bond) but they can tell the executive branch (the Governor) which items are eligible for funding by bond. Recently there has been a higher-ed bond bill, education bond bill, information tech, transportation, economic development bond bill. House Economic Development Bill: Currently in Conference committee reconciling the Senate and House versions of the bill. Once passed it will be the executive (Governor) can trigger execution of the bond monies.

- \$250,000 to the Town of Amherst for climate resilience affordable multi-family housing units.
- \$250,000 for the Town of Amherst Municipal Affordable Housing Trust for affordable housing.



Right to counsel on eviction? All pilot program having counsel for people who are being evicted.

**8. Upcoming Events**

- Community Resource Committee discussion of Town Housing Policy – August 18, 2 PM
- ZBA Hearing on 132 Northampton Road – August 20, 6:30 PM (*Later rescheduled for August 25, 6:30PM due to a posting error*).
- Next Meeting of the Housing Trust – September 10, 7:00 PM

**9. Public Comment** – None.

**10. Other items not anticipated within 48 hours** – None.

**11. Adjournment**

**VOTE: To adjourn.**

**MOTION: John**

**SECOND: Carol**

**VOTE PASSES unanimously, 5-0-0** (*Crowner – Y, Ferreira – Y, Hornik – Y, Kegelman – Y, Lewis – Y, Piedade – Y, Van Heuvelen – Y*)

Meeting adjourned at 8:15PM.