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## AMHERST MUNICIPAL AFFORDABLE HOUSING TRUST PUBLIC MEETING

Thursday, January 14, 2021

7:00 PM

Virtual Zoom Meeting. Video recording available at: <https://youtu.be/QJs67y9g4O4>

### IN ATTENDANCE

**Members:** Rob Crowner, Francis Goyes Flor, John Hornik, Carol Lewis, Erica Piedade, Will Van Heuvelen (6)

**Absent:** Paul Bockelman, Sid Ferreira (2)

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

**Guests:** Janna Tetreault of Community Action Pioneer Valley, Member of the Public Chad Fuller and Maura Keene.

Prepared by John Page.

Meeting called to order at 7:05PM.

### 1. Announcements

John reminded Trust members and the public that due to Tom Kegelman's resignation the Trust has a vacancy and is actively seeking a new member. Information on how to get involved can be found on the Town's website at <https://www.amherstma.gov/getinvolved>. Interviews are currently scheduled for later in January and a new member will hopefully join the February meeting of the Trust.

2. **Review Minutes from December 10 & Executive Sessions** — Minutes from the December 10, 2020 of the Trust meeting were approved by consensus as submitted. Minutes from Executive Sessions of the Trust on October 15 and December 10, 2020 were approved by consensus as submitted.

### 3. Update and Discussion of Belchertown Road and East Street School

Trust members reviewed the draft request for proposals (RFP) developed after the first meeting of the RFP working group consisting of Erica, Carol, Francis, and John. John stated his goal to orient the whole Trust to what we are doing and why in the RFP. As the working group develops recommendations, he explained, they will be brought to the full Trust for review and discussion. The Trust then reviewed the main components of the draft RFP as well as the comparative criteria used to evaluate proposals.

The next meeting of the RFP working group will be Thursday, January 28, 6:30PM focusing on revisions to the comparative criteria.

#### **4. Strategies to Reduce Evictions**

##### **a. Update on Emergency Rental Assistance Program**

John shared that with the state moratorium lifted, the number of pending evictions in Hampshire County is 180, four in Amherst.

Janna Tetreault of Community Action Pioneer Valley provided an update on the program. A copy of the report provided to the Trust in advance of the meeting is included as an addendum to these minutes.

Carol asked what are the usual factors that prevent an application from being approved. Janna provided examples including not having a COVID-related loss or reduction in income, having sufficient assets to pay their rent going forward, and that tenants had roommates that would not participate, or were moving. Another anticipated reason for incomplete applications, is that applicants may have gotten discouraged that the application was simply too long.

Janna outlined CAPV's coordination with other providers using an example of a family of four, experiencing loss of income due to COVID, but had issues making rent payments even prior to the pandemic.

- Household applied to Amherst program through Community Action.
- Household applied for RAFT through Way Finders.
- Community Legal Aid has hired case managers to work with tenants from the Notice to Quit stage. Community Legal Aid is helping this household because they are in court for violating a previous payment plan.
- Family Outreach of Amherst (FOA) is helping with employment training and search.

At its December meeting, the Trust voted to extend the contract with Community Action Pioneer Valley through June 30, 2021 and expand the Emergency Rental Assistance Program to offer a second round to previous applicants meaning applicants who were eligible could now receive up to 6 months of assistance. Janna said they will contact previous applicants and notify them that they can apply for another 3 months assistance if their household income has not changed/COVID-related loss of income persists.

Looking forward, Janna also noted the quickly changing state administrative and legislative landscape which may help tenants including expanded funding for housing assistance, RAFT expanding its definition of COVID-related loss of income and accepting self-certification of income, and landlords being required to send a copy of the notice to quit to the state when issued.

- b. New State Initiatives** — See addendum to these minutes which John shared with Trust members in advance of the meeting.
- c. Next Steps for the Town** — Town Councilor Evan Ross has drafted a version of Somerville's Housing Stability Act for Amherst. John suggested holding off

on introducing it right now while similar state-wide provisions are being considered which would offer the same protections.

## 5. Update on State Legislation

Economic Development bond bill is now on Governor Baker's desk. It includes \$500,000 for the Town of Amherst for affordable housing:

- Not less than \$250,000 shall be expended for the Amherst Municipal Affordable Housing Trust to be used to develop and secure affordable housing.
- Not less than \$250,000 shall be expended for the Town of Amherst to use to develop climate resilience affordable multi-family units, upon receiving LEED Gold or LEED silver certification.

Will encouraged individual Trust members and advocated to contact the Governor to advocating for the approval of these and other funds in the Economic Development Bill.

Will shared a request from the Western Mass Network to End Homeless asking organizations to sign on to a letter to President-Elect Biden to extend, improve and enforce the federal (Center for Disease Control and Prevention) eviction moratorium through the pandemic. The CDC's federal moratorium is currently set to expire on January 31, 2020. Details and the text of this letter are available at:

<https://www.westernmasshousingfirst.org/advocacy/2021/sign-letter-urging-president-elect-biden-to-keep-families-housed-during-the-pandemic-deadline-jan-15/>

**VOTE: To sign a letter urging President-Elect Biden to keep families housed during the pandemic by extending the CDC's eviction moratorium.**

**MOTION: Carol**

**SECOND: Erica**

**VOTE PASSES unanimously, 6-0-0** (*Crowner – Y, Goyes – Y, Hornik – Y, Lewis – Y, Piedade – Y, Van Heuvelen – Y*)

As the Trust meeting commenced, Trust members were notified that the Governor had signed the \$626 million economic development bill ([H.250 – Enabling Partnerships for Growth](#)) which included includes long-sought “housing choice” zoning reform.

## 6. General Updates

- a. Update on Trust Strategic Plan** – John suggested returning to the strategic plan after the RFP was complete. Updates to the strategic plan were unanimously adopted at the December 10 meeting of the Trust. Trust still need to review the goals and develop a work plan for how to accomplish those goals this year.
- b. Update on Comprehensive Town Housing Policy** — The Town Housing Policy being considered by the Community Resources Committee (CRC) of the Town Council goes beyond just affordable housing but incorporated the

items proposed by the Housing Trust. Former Trust Member Tom Kegelman has been recruited to advise on affordable housing issues.

**7. Public Comments** — Chad Fuller offered public comment saying that housing is a human right and that notification and provision of information like that outlined in the Housing Stability Act is essential.

**8. Items Not Anticipated Within 48 Hours** — None.

**9. Upcoming Meetings:**

- Next meeting of the Housing Trust - Thursday, February 11 at 7:00PM.
- CHAPA Virtual conference on Chapter 40B: *Tools for Increasing Affordable Housing*, January 14, 3-4:30 PM
- Housing Coalition, Tuesday, January 19, 6:30 PM
- CHAPA Virtual conference on Chapter 40B: *Fostering Good Design*, January 21, 3-4:30 PM
- MHP Webinar: *What does a housing development pro forma look like?* Wednesday, January 27, 12-1:15 PM
- CHAPA Virtual conference on Chapter 40B: *Fair Housing in 2021 and beyond*, January 28, 3-4:30 PM
- MHP Webinar: *How can communities support the development of affordable housing?* Wednesday, February 3, 12-1:15 PM
- Housing Trust, Thursday, February 11, 7 PM

Note: For CHAPA and MHP events please go to their websites to register.

**VOTE: To adjourn**

**MOTION: Erica**

**SECOND: Will**

**VOTE PASSES unanimously, 6-0-0** (Crownier – Y, Goyes – Y, Hornik – Y, Lewis – Y, Piedade – Y, Van Heuvelen – Y)

Meeting adjourned at 9:20PM.

## ADDENDUMS

### Amherst Emergency Rental Assistance Grant Program

Data update as of January 11, 2021

	Round 1 (July-September)		Round 2 (October-December) (January - March)				Totals-to-Date (1-11-21)	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Applications	105	46%	119	53%	2	1%	226	100%
Ineligible	22	21%	29	24%	1		52	23%
Approved	18	17%	18	15%	0		36	16%
Denied	22	21%	18	15%	0		40	18%
Incomplete	42	40%	23	19%	0		65	29%
Withdrawn	1	1%	14	12%	0		15	7%
In process	0		15	13%	1		16	7%
Complete & awaiting review	0		2	2%	0		2	1%
Pending	0		0		0		0	
Rental Funds Awarded	<b>\$37,328.50</b>		<b>\$32,903.50</b>				<b>\$70,232.00</b>	

*Continued on the next page.*

	Round 1		Round 2				Totals-to-Date	
	(July-September)		(October-December)		(January - March)		(1-11-21)	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>Applications by Household size</b>								
<b>total applications</b>	<b>105</b>		<b>119</b>		<b>2</b>		<b>226</b>	100%
1	18	17%	20	17%			<b>38</b>	17%
2	30	29%	32	27%	1		<b>63</b>	28%
3	22	21%	24	20%			<b>46</b>	20%
4+	35	33%	43	36%	1		<b>79</b>	35%
<b>Approved by Household size</b>								
<b>total applications</b>	<b>18</b>		<b>18</b>		<b>0</b>		<b>36</b>	100%
1	0		3				<b>3</b>	8%
2	4		4				<b>8</b>	22%
3	5		4				<b>9</b>	25%
4+	9		7				<b>16</b>	44%
<b>Currently behind in rent (All Applications)</b>								
No	56	53%	56	47%				
<b>Yes</b>	<b>47</b>	<b>45%</b>	<b>63</b>	<b>53%</b>	<b>2</b>		<b>65</b>	
Approved behind in rent	8	17%	8	13%				
behind in rent incomplete	21	45%	12	19%				
ineligible or denied	18	38%	23	37%				
withdrawn	0		5	8%				
in process	0		15	24%				

## **New Information Affecting Eviction**

### RAFT Program Changes

- Max. benefit from \$4k to \$10k (after COVID \$7k)
- Can be used to support either remaining in unit or moving
- Presumption of Sustainability no long required
- New, shortened, simpler “housing crisis” list
- Consolidation of RAFT funding streams
- Income eligibility can be established through DTA/MassHealth online records
- Expect RAAs to streamline process, shorter decision timelines
- Income limits 50% AMI or 60% if domestic violence
- Training and TA support from RAFT Technical Assistance Center

References: <https://www.westernmasshousingfirst.org/wp-content/uploads/2021/01/DHCD-RAFT-Policy-Guidelines-Summary.pdf>  
[https://www.westernmasshousingfirst.org/wp-content/uploads/2021/01/RAA-Administrative-Plan-Training\\_1.8.2021-v3-1.pdf](https://www.westernmasshousingfirst.org/wp-content/uploads/2021/01/RAA-Administrative-Plan-Training_1.8.2021-v3-1.pdf)

### State Law Changes

*Budget Language – Sections 79 and 80*

Along with Notice To Quit (NTQ) form, landlord must

- Indicate whether they received a CDC Declaration
- Indicate whether this is a “CARES property”, e.g., has Freddie or FannyMae mortgage
- Indicate whether there is a repayment agreement between landlord and tenant
- Affirm that landlord has given tenant required information about rental assistance programs, trial court rules, government rules on eviction
- Submit NTQs to State (DHCD) to allow outreach through HCECs

Court will require landlords to

- Demonstrate that they filed NTQ properly
- Indicate whether there is a pending application for rental assistance (form any source)
- Indicate whether non-payment is due to COVID-19
- Court cannot enter a judgment while an application for rental assistance is pending

[Legal Services: Household are urged to request legal assistance as soon as they receive an NTQ]

Requires the state court system to submit a monthly report on key statistics related to evictions and the “Eviction Diversion Initiative,” including number of eviction cases filed, number of executions granted (allowing physical removal of a tenant from their home), number of landlords and tenants receiving legal help court diversion and support resources, etc.

References: [https://docs.google.com/presentation/d/1V4Go-055P41Y0HkQbcAInVu2TLXWeySIEhyHsb0JAcU/edit#slide=id.g5412874884\\_0\\_92](https://docs.google.com/presentation/d/1V4Go-055P41Y0HkQbcAInVu2TLXWeySIEhyHsb0JAcU/edit#slide=id.g5412874884_0_92)  
<https://budget.digital.mass.gov/summary/fy21/outside-section/section-79-coronavirus-emergency-notices-to-quit>

<https://budget.digital.mass.gov/summary/fy21/outside-section/section-80-eviction-delay>  
<https://www.westernmasshousingfirst.org/wp-content/uploads/2021/01/HFA-Mass-Statement-of-H5181-1.pdf>

*Economic Development Bond Act (required Governor's signature)*

Eviction sealing IF formally requested by household

#### Federal Law Changes

CDC eviction moratorium extended to Jan. 31

- Halts eviction short of the actual move out
- Household must complete Declaration
- Loss of income is not limited to COVID
- Landlord must confirm receipt of Declaration