

**Ashland Housing and Human
Services Commission
Regular Meeting Agenda**

**CITY OF
ASHLAND**

January 28: 4:30 – 6:30pm
Siskiyou Room, Community Development Building
51 Winburn Way

1. (4:30) **Approval of Minutes** (5 min)
November 19, 2015
2. (4:35) **Public Forum** (5 min)
3. (4:40) **Student Fair Housing Review and Recommendations** (25 min)
4. (5:05) **Strategic Plan Priority Review and Next Steps** (25 min)
5. (5:30) **Social Service Grant Process Evaluation Form Review** (30 min)
6. (6:00) **Discussion about Rental Housing Situation** (15 min)
7. (6:15) **Liaison Reports** (10 min)

Liaison Reports
Council (Pam Marsh)
SOU Liaison (Megan Mercier)
Staff (Linda Reid)
General Announcements
8. (6:25) **February 25, 2016 Meeting Agenda Items** (5 min)
Commissioner items suggested
Quorum Check – Commissioners not available to attend upcoming regular meetings should declare their expected absence.
9. (6:30) **Adjournment**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).



**CITY OF
ASHLAND**

Ashland Housing and Human Services Commission
Draft Minutes November 19, 2015

CALL TO ORDER

Chair Josh Boettiger called the meeting to order at 4:30 pm in the Siskiyou Room at the Community Development and Engineering Offices located at 51 Winburn Way, Ashland OR 97520.

Commissioners Present:	Council Liaison
Joshua Boettiger,	Pam Marsh
Rich Rohde	
Heidi Parker	SOU Liaison
Sue Crader	Megan Mercier
Regina Ayars	
Coriann Matthews	Staff Present:
Tom Buechele	Linda Reid, Housing Specialist
Tom Gunderson	
Commissioners Absent:	Carolyn Schwendener, Admin Assistant, absent
Gina DuQuene	

APPROVAL OF MINUTES

Ayars/Rhode m/s to approve the minutes of the October 22, 2015 Housing and Human Services Commission meeting with one correction. Voice Vote: All ayes, minutes were approved with correction.

PUBLIC FORUM

Derek Johnson introduced himself. Mr. Johnson has lived in Ashland for around ten years and is concerned about the housing issues in Ashland. Mr. Johnson presented a Housing First proposal. The concept of Mr. Johnsons proposal is based on five critical principals.

1. Housing First
2. Decriminalizing homelessness
3. Equality
4. Local Community
5. Meeting diverse needs (homeless Community is not a single group but a diverse group)

Ten sectors in the Community that Mr. Johnson touched upon were; Veterans, Women, Families, Parents, Crisis, Disability, Seasonal Workers, Mobile Workers, Travelers and Economic Refugees. Mr. Johnsons concept is looking at the possibility of leasing out houses during the winter months theoretically at a time when rates are lower. He suggested setting aside \$10,000 for each of the above sectors. The second phase of his proposal would address housing year round.

The Commissioners thanked Mr. Johnson for his input and invited him to stay for the remainder of the meeting as some of his topics will be addressed on tonight's agenda.

Meha Hadell, who is new in our Community, addressed the Commission. Ms. Hadell is a yoga and dance teacher who has a continuing concern for the homeless and would like to see a safe space provided for them. Her concern is for the group of people who are at a place in their life where they need assistance getting back on their feet and are willing to move forward making healthy choices.

HOMELESS ISSUES DISCUSSION

Staff Liaison Reid explained that she had recently spoken with a person who expressed an interest in purchasing the Lithia Springs Girls home located at 862 Siskiyou Boulevard and using it in some way for affordable housing. The unit has eight bedrooms and a Commercial kitchen. This person was inquiring if there was any interest in the non-profit community for leasing that space and operating it.

The Commissioners discussed the different possibilities for the use of the property.

John Wieczorek, board member of Options for Homeless Residents in Ashland, introduced himself. Mr. Wieczorek acknowledged their organization looked at the girls home prior to it coming on the market. The group is interested in the idea of offering supportive housing at that site though currently are not in a position to purchase the property. Mr. Wieczorek commented that Options for Homeless Residents does see an opportunity to form a relationship with a private individual maybe entertaining a discussion of leasing to own. Reid explained the next step is to meet with the interested buyer and discuss the possible proposals.

Commissioner Parker reminded the Commissioners that the Housing and Human Services Commission was formed from the Homeless Steering Committee and the Housing Commission and she did not want them to lose sight of the recommendations that the Homeless Steering Committee had put forth prior to this Commission being formed. Parker encouraged the Commissioners to examine those recommendations and see if they are still relevant. Put this on the agenda for the goal setting retreat.

STUDENT FAIR HOUSING-FOLLOW-UP AND DISCUSSION

SOU Liaison Mercier reported she has not yet formed a core group of students that can work on the Student Fair Housing Ordinance. Ms. Mercier has had prior discussions with various students who have experienced housing discrimination and are interested in being part of that group. Ms. Mercier inquired as to why more affordable housing is not being built in Ashland because it appears that student housing seems to be maxed out. The Commissioners explained that the price of land is so high it doesn't generally pencil out for developers. Snowberry located on Clay Street was the last affordable multi-family complex built in Ashland.

Reid handed out the original housing survey that had been mailed to landlords and property management companies in order to get feedback. Reid suggested updating the survey and doing a mailing to the new rental registry list. Reid also suggested doing outreach to the Southern Oregon Renters Association. She has requested to be put on their next meeting agenda. Reid has contacted Louise Dix to see if the Fair Housing Council can do Fair Housing testing in the Ashland area. It was suggested the testing surround age and source of income to determine if those population segments are being discriminated against.

The Commissioners made changes to the survey and Reid will type it up and send it out to the Commissioners for their review.

REVIEW OF THE INCLUSIONARY ZONING BILL

Guest speaker Civil Rights advocate Jonathan Ostar from Portland spoke. For the last five years Mr. Ostar has been leading the State wide effort to repeal the prohibition on Inclusionary Zoning. It is Mr. Ostar's desire that Ashland would join a number of other cities across the state formally endorsing a repeal of the fifteen year old ban on exclusionary zoning.

Rohde/Crader m/s that we as a Commission recommend and advise to the City Council that they pass a resolution in support of the lifting of the ban on exclusionary zoning in Oregon. Voice Vote: All ayes, motion passed. Reid will draft a memo to the Council and include the State Bill.

HOUSING TRUST FUND SUB-COMMITTEE REPORT AND DISCUSSION

Rohde reported the sub-committee met and reviewed the financial report that was provide by City Finance Director Lee Tuneberg. Mr. Tuneberg provided the information explaining where the City budget is at and what

the money is designated for. The report is missing the funding from the Food Tax but when it becomes available Mr. Tuneberg will provide it. Rohde commented that Mr. Tuneberg had a very compelling narrative of how difficult it is to move any of these pieces. New sources of money are easier to allocate to new activities, it will be difficult to maneuver any money out of the existing designated categories, stated Rohde.

Commissioner Ayars announced her resignation from the Commission. She acknowledged some of the accomplishments that the Commission has made during her nine years of service and expressed her appreciation for the opportunity to be part of this Commission. The Commissioners thanked her for her years of service.

LIAISON REPORTS

Council Report – Councilor Marsh reported that what the Council is looking for is Community groups and advocacy groups to step forward and try to pick up the many solutions that have been proposed surrounding the Homeless population. Marsh is personally working on a project similar to one in Palo Alto called Palo Alto Downtown Streets program. People on the street are invited to participate in a volunteer program doing public service projects, meeting with a case worker etc. In return they receive vouchers for basic needs. It's intended to be a transitional program with the goal of working toward permanent housing and employment. Marsh would like to invite the Palo Alto representative to Ashland to discuss their program.

GENERAL ANNOUNCEMENTS

It was decided to do the Goal Setting Retreat on Tuesday December 15, 2015 from 5:00 - 8:00 pm in the Siskiyou Room at the Community Development & Engineering Department at 51 Winburn Way. Topics for the retreat are; goal setting, homeless issues, social service grant evaluation, rental housing discussion.

Hospice has decided to establish their facility in Medford.

Parker reported on the volunteer training for the homeless shelter. About twenty people attended. She stated that the background check for the volunteers has changed, making it much easier. It's now computerized. Could use more volunteers especially for the next two weeks during the Holiday season.

Reid announced that the Point in Time Homeless count is coming up soon.

FEBRUARY 25, 2016 AGENDA ITEMS

Fair Housing discussion
Rental Housing discussion
Social Service Grant

Quorum Check:

Next Housing Commission Meeting – 4:30-6:30 PM; February 25, 2016 4:30-6:30 in the Siskiyou Room at the Community Development & Engineering Department located at 51 Winburn Way.

Adjournment

The meeting was adjourned at 6:25 p.m.
Respectfully submitted by Carolyn Schwendener

Housing and Human Services Commission Memo

TITLE: Recommendation Regarding Students and Fair Housing
DEPT: Community Development
DATE: January 28, 2016
SUBMITTED BY: Linda Reid, Housing Program Specialist

At a meeting in April of 2014 the City Council approved a motion to direct Housing and Human Services Commission to study and develop a recommendation on whether students should be added as a protected class in the City's Fair Housing ordinance. Furthermore the council clarified the charge adding "the Commission did not need to make students a protected class but possibly come back with something that might protect them better. The Council also requested the commission discuss why property owners reject students and what students could do to increase the desirability as tenants and whether there were any unintended consequences to the proposed policy. To that end the Housing and Human Services Commission in Concert with the ASSOU student liaison undertook several actions. The details of which are outlined below.

The ASSOU Student Liaisons have:

- Conducted a survey of students
- Organized and hosted a Forum Discussion on the topic of student discrimination in rental housing which featured speakers from the City of Corvallis and the Fair Housing Council of Oregon
- Worked with the commission to draft and conduct a survey of rental owners/property managers
- Maintained the student fair housing issue as a priority on the ASSOU student government agenda and make sure that the project has representation across liaisons.

The Housing and Human Services Commission has discussed this topic at length over the course of numerous meetings and supported the Student Liaison's efforts.

Recommendations from the commission regarding updates to the municipal code to further provide protections for students could include;

- Clarify language in the existing municipal code "Source of Income" definition. While it is not necessary to add, further clarification might help to bring awareness to the protected classes based on source of income. Specifically add "including grants, scholarships, loans, and section 8, housing choice voucher assistance" to the definition after "from federal or state payments".
- Suggesting a code amendment to add "age" as a protected class.

Implications of adding "age" as a protected class is that there may be an increase in the workload of the "fair housing officer" who is defined as the City Attorney or designee, due to the need to provide enforcement actions as "age" is a class that is not protected under state or federal fair housing laws and



therefore complaints based on “age” discrimination could not be redressed through either of those entities.

Potential “Disparate impact” cases due to language in advertising stating “No Students” as this could be a disparate impact based on age of the student population.

- More broadly advertize/make property owners more aware of the existing protections that would be violated with certain types of advertising or in refusing to rent based on certain characteristics.
- Recommendation for the college to contract with ACCESS to offer a targeted “Ready to Rent” program to students. Establish a fund to pay damages to landlords if a graduate of the program skips out on damaged property. (increase student’s desirability as tenants)



10.110 Fair Housing

10.110.010 Declaration of policy

It is hereby declared to be the policy of Ashland, Oregon, in the exercise of its policy power for the public safety, public health, and general welfare to assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, sex, sexual orientation, gender identity, national origin, source of income, or familial status and, to that end, to prohibit discrimination in housing by any persons.

(Ord 2746, 1994; Ord 3077, 2012)

10.110.020 Definitions

When used herein:

A. "Real property" includes buildings, structures, lands, tenements, leaseholds, cooperatives and condominiums.

B. "Discrimination" or "discriminatory housing practice" means any difference in treatment based upon race, color, religion, sex, sexual orientation, national origin, disability or familial status; or any act that is unlawful under this ordinance. (Ord. 2713, 1993)

C. "Person" includes individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations and all other groups or combinations.

D. "Owner" includes a lessee, sub-lessee, co-tenant, assignee managing agent or other person having the right of ownership or possession, or the right to sell, rent or lease any housing accommodation.

E. "Financial Institution" includes any person, as defined herein, engaged in the business of lending money or guaranteeing losses.

F. "Housing accommodation" or "Dwelling" means any building, mobile home or trailer, structure, or portion thereof which is occupied as, or designed, or intended for occupancy, as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, mobile home or trailer, structure, or portion thereof or any real property, as defined herein, used or intended to be used for any of the purposes set forth in this subsection.

G. "Open Market" means the market which is informed of the availability for sale, purchase, rental or lease of any housing accommodation, whether informed through a real estate broker or by advertising by publication, signs or by any other advertising methods directed to the public or any portion thereof, indicating that the property is available for sale, purchase, rental or lease.

H. "Older Person" A person of age fifty-five (55) or older.

I. "Familial Status" Means a relationship between one or more individuals who have not attained 18 years of age and an adult with whom the individual(s) is (are) domiciled and who is (1) a parent or person having legal custody of the individual(s), or (2) an adult to whom such parent or person having such custody has given written permission to provide housing for the individual(s). "Familial Status" also means the condition of being and individual, regardless of age or domicile, who is pregnant or is in the process of securing legal custody of an individual who has not attained 18 years of age.

J. "Disability" means a physical or mental impairment which substantially limits one or more major life activities. "Disability" includes having a record of such an impairment or being regarded as having such an impairment

K. "Sexual orientation" means attraction to or selection of a sexual partner according to gender. "Sexual orientation" includes having a history of that attraction or selection, or being identified with that attraction or selection. "Sexual orientation" is limited to heterosexuality, homosexuality, and bisexuality.

L. "Source of Income" means financial resources a person uses to support himself or herself and his or her dependents, including but not limited to money and property from any occupation, profession or activity, from any contract, settlement or agreement, from federal or state payments, court ordered payments, gifts, bequests, annuities, life insurance policies, and compensation for illness or injury, but excluding any money or property derived in a manner made illegal or criminal by any law, statute or ordinance.

M. "Gender Identity" means a person's actual or perceived sex, including a person's appearance, expression or behavior, whether or not that identity, appearance, expression or behavior is different from that traditionally associated with the person's sex at birth.

N. "Fair Housing Officer" means the City Attorney or designee who will serve as the designated Fair Housing Officer.

(Ord 3077, 2012)

10.110.030 Unlawful practices

In connection with any of the transactions set forth in this section which affect any housing accommodation in the open market, or in connection with any public sale, rental or lease of any housing accommodation, it shall be unlawful within the City of Ashland for a person, owner, financial institution, real estate broker or real estate salesman, or any representative of the above, to:

A. Refuse to sell, rent or lease, or deny to or withhold any housing accommodation from a person because of race, color, religion, national origin, disability, sex, sexual orientation, gender identity, source of income or familial status; or

B. To discriminate against a person in the terms, conditions or privileges of the sale, rental or lease of any housing accommodation, or in the furnishing of facilities of services in connection therewith; or

C. To represent to a person that any housing accommodation is not available for inspection,

sale, rental or lease when in fact it is so available, or to refuse to permit a person to inspect any housing accommodation on the open market because of race, color, religion, or national origin, disability, sex, sexual orientation, gender identity, source of income, or familial status; or

D. To make, publish, print, circulate, post or mail, or cause to be made, published, printed, circulated, posted or mailed, any notice, statement or advertisement, or to announce a policy, or to sign or to use a form of application for the sale, rental, lease or financing of any housing accommodation, or to make a record of inquiry in connection with the prospective sale, rental, lease or financing of any housing accommodation, which indicates any discrimination or any intent to make a discrimination.

E. To retaliate or discriminate in any manner against a person because that person has opposed a practice declared unlawful by this article, or because that person has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding, hearing or conference under this ordinance; or

F. Inquire into the sexual orientation of a purchaser, renter, or lessee, or prospective purchaser, renter or lessee. (Ord. 2746, 1994)

G. A refusal to permit, at the expense of the a person with disabilities, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises, except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

(Ord 2746, 1994; Ord 3077, 2012)

10.110.040 Exemptions

A. This ordinance shall not apply to:

1. A religious organization, association, or society or any nonprofit institution or organization operating, supervised, or controlled by or in conjunction with a religious organization, association, or society, which limits the sale, rental, or occupancy, of dwellings which it owns or operates for other than commercial purposes to persons of the same religion, or which gives preference to such persons, unless membership in such a religion is restricted on account of race, color, sex, sexual orientation, national origin, disability or familial status.
2. A private club not in fact open to the public, which as an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose, and which limits the rental or occupancy of such lodgings to its members or gives preference to its members.
3. The leasing or renting of a room or rooms within an individual living unit which is occupied by the lessor as his or her primary residence.

B. The requirements of this ordinance on prohibition of discrimination on the basis of familial status shall not apply to:

1. Dwellings provided under any State or Federal program specifically designed to assist older persons, or to dwellings in bona fide retirement communities designed and operated for older persons or dwellings otherwise intended and operated exclusively for older persons, equipped with facilities specifically designed for the physical and social needs of such persons.
2. Applicability of reasonable local, State, or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit.
3. Any housing provided, owned or operated by the State or Federal Government.
4. Any housing unit of less than four hundred (400) square feet gross floor area.

C. The prohibitions in section 10.110.030 against discrimination on the basis of sexual orientation and gender identity do not apply to;

1. To the leasing or renting of a room or rooms within an individual living unit which is occupied by the lessor as his or her residence.
2. To the leasing or renting of a room or rooms within individual units where one of the units is owner occupied;
3. To space within a church, temple, synagogue, religious school, or other facility used primarily for religious purposes.

D. The prohibitions in section 10.110.030 against discriminating on the basis of source of income do not prohibit:

1. Inquiry into and verification of a source or amount of income;
2. Inquiry into, evaluation of, and decisions based on the amount, stability, security or creditworthiness of any source of income;
3. Screening prospective purchasers and tenants on bases not specifically prohibited by this chapter or state or federal law;
4. Refusal to contract with a governmental agency under 42 U.S.C. 1437(f)(a) "Section 8".

E. The prohibitions in section 10.110.030 against discriminating on the basis of gender identity do not prohibit:

1. Health or athletic clubs or other entities that operate gender-specific facilities involving public nudity such as showers and locker rooms, from requiring an individual to document their gender or transitional status. Such documentation can include but is not limited to a court order, letter from a physician, birth certificate, passport, or driver's license.

(Ord 3077, 2012)

10.110.050 Procedures

Any person aggrieved by an unlawful practice prohibited by this ordinance may file a complaint with the Fair Housing Officer no more than one year after the alleged unlawful practice occurred. The Fair Housing Officer or a duly authorized representative shall investigate each complaint and attempt to resolve each complaint. Failure to achieve a resolution acceptable to both parties and compliance with this ordinance shall cause the Fair Housing Officer to forward the complaint and findings to appropriate state and federal officials.

(Ord 3077, 2012)

10.110.060 Enforcement and Administration

A. The provisions of this section are in addition to state and federal law, nothing in this section precludes complainants from pursuing other remedies available under any appropriate government agency or under the statutes and procedures established in ORS Chapter 659A.

B. Any person claiming to be aggrieved by an unlawful discriminatory act under the provisions of this code shall have a cause of action in any court of competent jurisdiction for damages and such other remedies as may be appropriate. Election of remedies and other procedural issues relating to the interplay between administrative proceedings and private rights of action shall be handled as provided for in ORS 659A.870, 659A.885 and 659A.890. The court may grant such relief as it deems appropriate, including but not limited to such relief as is provided in ORS 659A.885.

(Ord 3077, 2012)

10.110.080 Severability of invalid provisions

In case any one or more of the sections, subsections, clauses, or provisions of this ordinance, or the application of such sections, subsections, clauses or provisions to any situations, circumstances, or person, shall for any reason be held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect any other sections or provisions of this ordinance or the application of such sections, subsections, clauses or provisions to any other situation, circumstance or person, and it is intended that this ordinance shall be constructed and applied as if such had not been included in this ordinance.

(Ord 2527, 1989; Ord 2713, 1993; Ord 3077, 2012)

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Memo

DATE: 1/27/2016
TO: Housing and Human Services Commission
FROM: Linda Reid, Housing Program Specialist
RE: Housing and Human Services Commission goals 2016

The Housing and Human Services Commission held their annual goal setting retreat on December 15th. At their retreat the commissioners identified nine goals; these goals are ranked below from highest priority to lowest priority.

1. Donation Boxes-Education Campaign/PR, Resource Bucks in hotels/businesses, Identify and collaborate with stakeholders, highlight solutions (where does the \$ go) (8)
2. Affordable Housing/Inclusionary Zoning (7)
3. Housing Trust Fund Permanent funding source (6)
4. Diversity (6)
5. More Porta-Potties (6)
6. Develop Housing Resources for Workforce/Middle Income households. (6)
7. Increase Shelter Nights and Volunteers (5)
8. Transitional Shelter (5)
9. Research Rental Issues (4)



