



Minutes
Ad Hoc on Housing and Resident Safety
Friday, May 13, 2022 @ 8:30 a.m.
City Council Conference Room

CALL TO ORDER

Council Member Wood called the meeting to order at 8:31 a.m.

PRESENT

Council Member Spitzley, Chair- arrived at 8:32 a.m./stepped away at 8:36 a.m.
Council Member Wood, Vice-Chair
Council Member Brown, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Tony Gant, Nation Outside
Lisa Hagen, OCA
Jim Smiertka, OCA
Eric Gaines, Moms Demand Action on Gun Sense

MINUTES

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE MINUTES FROM APRIL 8, 2022 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

No public comment on this time.

PRESENTATIONS

Nation outside Organization

Mr. Gant spoke went through a presentation on Fair Chance Housing and their policy reform to limit discrimination that people with criminal histories face when accessing housing. This included the homelessness rates among former incarcerated people, and the need for a policy of the form of a City ordinance.

Mr. Smiertka asked if when applying for housing, shouldn't it be released in the interview, and Mr. Gant stated they are trying to get these people to the interview process.

Ms. Flores stated that a landlord cannot ask about incarceration, and what they use is a program they use for background check criminal records, credit checks, etc. Mr. Gant spoke on blanket denials and with an ordinance would instruct landlords to just do credit score check, not a criminal background, stating that there are no data to show that people who have been incarcerated that are bad tenants.

Council Member Wood informed Mr. Gant that when talking about landlord/tenants, since it is their contract, Council cannot legislate them. Mr. Smiertka confirmed they have to follow the State statute. Mr. Gant provided municipalities that have already passed ordinances such as Ann Arbor, Jackson, Detroit, and East Lansing is working on it. Council Member Wood asked how the City can enforce something, in knowing what their mindset is. Mr. Gant stated the ordinance would require a complaint process, investigate and determine a violation. An ordinance would also allow for the person that was denied to prove they are not that person they once were. Council Member Wood asked Ms. Hagen if that same protection is under the Human Rights ordinance. Ms. Hagen stated that the ordinance does not address criminal records. Ms. Flores stated the Rental Property Owners Association are being told not to consider criminal records. Ms. Hagen stated the State of Michigan has a Fair Housing Statute and process for complaints, and it does indicate further restrictions can be imposed by local does prohibit on the application. It is not saying you can't inquiry, but putting limits on when is the time to ask the questions, and OCA has issues on enforceability and who the enforcing body is. Mr. Smiertka added that the City needs statutory authority to enact. Council Member Wood asked for Ms. Hagen to outline the human rights ordinance and what it covers, and Ms. Hagen read the ordinance to the group.

Mr. Gaines spoke on the organization her represents and the support they offer to victims of gun violence. Asking for support of a fair chancing housing initiative.

Council Member Wood asked Ms. Hagen to pull up ordinances that have passed in the surrounding municipalities, be prepared for a discussion on enforcement, and possibly look at working with current boards vs. creating a new board. Materials would be provided on June 3, 2022.

Discussion/Action

Ordinance – Relocation Ordinance

Ms. Hagen distributed a memo on the recommendation which included a resolution from this Committee to encourage the State legislation to establish a tenant relocation payments. A second recommendation would be to address red tags with the international property maintenance code to general civil infractions. Council Member Wood stated there is already a team that if there is a penalty for the monitoring fee. Ms. Hagen this would specifically add a civil infraction on top of the monitoring fee. With option 2, she added this could have a significant cost. Council Member Wood stated the established Team, every month there is a 360 walk around on the property to make sure there are no improvements before a monitoring fee. Ms. Hagen if go for the civil infraction, would need more detailed inspection to make sure no improvements, and they would have to show improvements that were cited in red tag, and Code Enforcement would have to make the determination. Before moving on this, there should a cost analysis performed to determine the fee. Council Member Wood asked if the intent for the ticket, was for the fines to be put in the fund to support relocation of tenants. Ms. Hagen stated this is separate from relocation, and the OCA has evaluated that option and they would not recommend at this time a relocation of tenant without a State statute in place. The hope, she added is that this would encourage the landlords to make the repairs and move on. Council Member Wood asked if this would have helped the situation with previous issues with apartments. Ms. Hagen stated it depends on the level of process at any given time. They might have to fine tune on how it works towards multi- units. She then moved onto option 3, which spoke to multiple red tags per calendar, they could consider criminalize a multiple tag a misdemeanor. Council Member Wood gave an example for landlord with bas experiences with bad tenants and why to penalize the landlord. Ms. Hagen stated that could be identified as an exception, if damage by tenant, then penalty could not apply. Council Member Brown had no additional questions.

Ms. Flores noted it is still on the landlord, they are responsible for who they put in the house as a tenant, and the tenant should not be given any civil infraction. Council Member Wood stated it would cite the landlord. Ms. Hagen the recommendation would have framework where if it is the tenant, the landlord can be excused. Mr. Smiertka stated once it is in an ordinance, it opens the door for that every time. Council Member Wood referred back to option 2, and there are ordinances that state tickets can be written daily, and the courts then dismiss and only issue for one ticket; therefore has this been discussed with the courts to see what their enforcement be. Mr. Smiertka stated they have not, but would have that discussion.

Council Member Brown stated that with community agencies where the City gives funds, they are struggling with housing stock, and they are working with tenants into residents where there might issues, and so where could this work into that. Council Member Wood asked for a response at the next meeting. Mr. Smiertka asked if this was to do with the City offering incentive, and Council Member Brown provided an example. Mr. Smiertka stated they could draft up something like a program for the non-profits do some of those. Council Member Wood gave an example from LHC where they are giving a discount in rent if the tenant signs up for Section 8. Mr. Smiertka stated this would an HRCS issue, and a program that should be administered by that program.

OTHER

Ms. Flores referenced a property on Otto that she brought up at Committee on City Operations. Mr. Smiertka stated the Chief confirmed it was addressed and followed, and the neighbors have been informed to call 911. Ms. Flores stated there are still people entering the boarded up house. Council Member Wood stated when people call 911 it is with Ingham County and they disburse, and LPD does not have enough staffing and based on priority calls, but encouraged her to continue to move things forward.

Ms. Gleason asked about a discussion on home ownership and asked future discussion on ratio on rental to owned homes. Ms. Gleason spoke in support of home ownership, affordability, stance on the codes that currently exist, and look at a way to increase home ownership.

Adjourn

Adjourned at 9:30 a.m.

Submitted by,

Sherrie Boak, Recording Secretary

Lansing City Council

Approved by the Committee June 3, 2022