



Minutes
Ad Hoc on Housing and Resident Safety
Friday, August 26, 2022 @ 8:30 a.m.
City Council Conference Room

CALL TO ORDER

Council Member Wood called the meeting to order at 8:30 a.m.

PRESENT

Council Member Spitzley, Chair
Council Member Wood, Vice-Chair
Council Member Brown, Member- excused

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Lisa Hagen, OCA
Mary Bowen, OCA
Eric Gaines, Nation Outside
William Lawrence
Lisa Sadler

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM AUGUST 10, 2022, AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

Mr. Gaines was present to speak on the draft ordinance from earlier meetings.

DISCUSSION/ACTION

DISCUSSION – Recommendations to Council

Council Member Spitzley outlined the document she had drafted for the Committee to consider for the recommendation report back to Council. Some items were broken out by policy recommendation and budget priority. Anything that has to do with operations with the City of Lansing and personnel changes is outside Council role, but Council can provide recommendations to the mayor and work with him on those. If the Committee concurred, they could pull out budget priorities, and report to Council at the first meeting in September. The Committee can approve the report on September 9, 2022, and onto Council September 12, 2022. Council Member Wood recommended the Committee speak to a narrative to outline the charge and then secondly based on testimony outline the section who has been present at the meetings and supplied comments. Lastly, based on the comments, the Committee can determine what they believe to be policy issues Council should consider passing for the Mayor to consider for policies. If there are items the Committee has that needs to be addressed until the end of the year, Council can ask the Committee can work on those or have Council refer topics to other Committees.

The Committee reviewed the report, beginning with Economic Development, and asked Council Member Wood asked if this was a budget priority for more code enforcement officers, or a policy on how they are compiling or create a schedule. Council Member Spitzley noted that Mr. Sanford stated to the Committee that his staff was taken from the streets into court, and so this would address that. Council Member Wood requested statistical information on how many hours a week code officers are in court. Council Member Spitzley stated her intent is to make a priority to get rentals inspected, not hiring but a policy that puts a priority on identify and inspecting rentals. Council Member Wood stated they should provide information on if the fee structure meets the State and if not then the City needs to look at that. Council Member Spitzley asked for a database available for the public on the landlord registry. She then asked Ms. Hagen if there was anything legal should consider, and Ms. Hagen stated they can look at, but there is a program currently that might be tailored to address that. Council Member Spitzley noted she was looking at the "footprint" of the property. Council Member Wood noted one concern might be if the City points out particular, but have a data base that is similar to warrants page; property address, within a period of time, and anyone that had more than 3-5 or you can pick a specific number of safety violations. The renter could be encouraged to look at that database and saw repeat violations (not just red tag), they can they make the independent determination. Ms. Hagen stated she had a concern that an interpretation could be made that the City action would limit the landlord from renting the property. She asked for time to look at how the current litigation plays out. Council Member Spitzley the information is already out there and public, this would just call to a new report, so putting it in a more accessible would be and issue. Ms. Hagen on the housing they could be directed to BSA database. Council Member Wood gave examples of a property search and how the documents are not in the common portal. Ms. Hagen stated Mr. McGrain spoke at the last meeting on an expansion with BSA database on information the public can view. Council Member Wood stated they have been educated that BSA is limited to what the public portal can view. Ms. Hagen stated she would take the question back to OCA to see what they are comfortable with.

The Committee moved onto the topic of HRCS in the draft report. Housing Ombudsman needs to create an educational material to tell renters what a red tag and pink tag means. There needs to be better coordination with Housing Ombudsman and Code Compliance, so this would be a policy recommendation. There should be a policy of a packet of information that can be hung on the door so Code Compliance can hang materials on the doors if they red tag or pink tag a property. Council Member Spitzley asked for the ordinance on the creation of the housing ombudsman, and Council Member Wood stated it was done in a budget presentation which was a job description that was laid out to Council. Regarding education materials, if there cannot be a website, there could be something on the Housing Ombudsman page. Council Member Wood noted there is a concern because rental certificates are not being posted on the property where it should be. Council Member Spitzley noted that the list should be created as a budget priority and include on the website. Regarding vouchers, Council Member Spitzley encouraged a program to incentivize, and if the City cannot do it, but is there something Economic Development Planning can use their funds to incentivize landlords. Council Member Wood stated it would be hard with HUD dollars and not part of the current five-year plan. MSHDA will be at Committee of the Whole on September 12, 2022 to Committee of the Whole and at that time Council could ask if they have funds to help with this. Council Member Spitzley referred to the City program where City employees can apply for and receive funds to live in the City. Council Member Wood noted it is a 3 year plan where if they do not live in it for that period, it has to be paid back. Council Member Spitzley recommended the Housing Ombudsman look into that program.

The Committee spoke on the Human Rights Ordinance currently and what Council can do. The Committee can look at it, but it will not be done by budget priority deadline. Council Member Wood stated that OCA did not believe Fair Chance could not be out in the Human Rights Ordinance. Ms. Hagen stated they concurred it cannot and that is why they draft a Fair Chance

ordinance. The Committee determined they will continue discussion to address concerns. Regarding small homes and the Form Based Code and Ms. Hagen stated Ms. Stachowiak addressed that. Item be under City Council was removed.

Council Member Spitzley stated she wanted to continue the discussion on ordinances from other communities on landlord and tenants payments for housing evictions when building concern. Council Member Wood encouraged the Committee ask OCA to work with Rep. Anthony team on what should be changed in the State law to address the OCA interpretation. Ms. Hagen the State does offer emergency relocation for some situations, limited where people are escaping domestic violence, final notice from a public agency. Council Member Wood the question should be asked is how does the City utilize and get people to those funds Ms. Hagen noted. That could be added to the list under HRCS.

Under Law/Court, the Committee spoke on incorporating the Community Court, look at penalties, and Council Member Spitzley noted she is still interested in before the pink tag, but with the notices to approach the landlord to work with them on a step by step with the Court for compliance. If they miss one of the milestones, then something can happen. There should be a way to get on the road for compliance to Community Court, before it gets to a situation. Ms. Hagen stated at some degree it is happening now, where Code writes a ticket, and then when in Court OCA asks them to sign a stipulation order, and if they do not then it runs before the judge and what a court order would say. Not all starts with a pink tag, most code compliance orders in district court start with a ticket. Ms. Hagen continued that in a budget priorities on ticketing in code compliance be more on building safety and living, and reprioritize the violations they are looking for. Council Member Wood noted there are premise officers and code officers, and premise officers are seeing some and to get into a property you need a notice. It has been indicated they are looking at changes come policies, and sometimes accept a letter from the landlord issues were taken care of. If Code can go back out to see the property and the list of items and they then can determine if they are seeing a pattern. Council Member Spitzley questioned if there are multiple letters, how to focus on repeat offenders. Council Member Wood noted there should be a metric set up. Council Member Spitzley noted to Ms. Hagen she would work with OCA on putting together on the report so it can be enforceable and stand up to legal challenges. Council Member Wood under single family rentals, if no code violation you go every 3 years for inspections, but if code violations it is 2 years. This practice was determined to be legal, so that should be considered when looking at ideas to incorporate.

Council Member Wood then asked for research into rentals, because now there are properties that have to be rented before it has to be registered. Once that is determined a letter is sent to the landlord, then they send funds in for the inspection, but that could take some time. Her suggestion is once it is advertised as a rental property, they have to apply then, not once people move it and they find out it does not meet the standards and people are living there. Council Member Spitzley concurred and encouraged an inspection before people move in. Council Member Spitzley recapped a situation where a home was rental, vacant and then sold and the new owner does not register and lets someone move it. There is a step missed, the homes should be inspected first. Council Member Wood pointed out that BSA shows which properties are homestead and which not, so letters should be sent out to all non-homestead stating something that until the City is notified otherwise it will be considered a rental and should be registered. The question for budget priorities or policy, and if there are funds needed to generate those letters. The question could be asked to Assessing for the letters and Code for follow up. Council Member Spitzley referenced the last meeting minutes where Mr. McGrain noted there were 500 letters per year on the rentals they find, and so there is a letter already out there. When a house sells, they have to file homestead form with Assessor. The question the Committee considered was if a budget priority is needed to have a dedicated staff to find rentals, update data base, generating letters. Council Member Wood recommended adding in funds be dedicated for this role in the budget priority.

Council Member Spitzley stated she would work on a final report including the budget priorities and when presenting it finalize the items. She stated she would reach out to OCA to work on the questions on legal.

Council Member Wood noted that the Council Committee on Public Safety has been looking into the Lansing Housing Commission, and because of the number of units they have, without having any control over those, that the City is making sure the Lansing Housing Commission is held to the same standards. A report was done a few years ago presented to Committee on Public Safety and in the most recent meeting Mr. McGrain noted that their concerns now are with the Lansing Housing Commission single family. Council Member Spitzley was invited to the next Committee on Public Safety on September 1, 2022.

Council Member Spitzley asked about if there is a system set up for inspecting the large complexes. Council Member Wood noted it is done differently each time.

The Committee will focus on the report at the September 9, 2022 meeting.

DISCUSSION – Fiscal Year 2023/2024 Budget Priorities

These items will be addressed in the report above and a further discussion will be held on September 23, 2022.

Adjourn

Adjourned at 9:28 a.m.

Submitted by,

Sherrie Boak, Recording Secretary

Lansing City Council

Approved by the Committee September 26, 2022