

## HOUSING COMMISSION

### APPROVED MEETING NOTES – September 9, 2021

Attendance			
	Present		Present
Arthur, Ben	Y	Serfis, Karen	Y
Berkey, Eric	Y	Sims, Charles	-
Bray, Holly	Y		
Browne, Paul	Y	<b>Staff:</b>	
Edwards, Laura Saul	Y	Franklin, Joel	Y
Hemminger, Michael	Y	<b>Planning Comm. Liaison:</b>	
Hogan, Alice	Y		
MacBeth, Kellen	Y		
Montgomery, Anika	Y	<b>Disability Advisory Comm Liason</b>	
Norris, Haley	-	Ray, Doris	Y
Rubalcava, Sara	Y		

**Held in:** Virtual public meeting held through electronic communication. This meeting was recorded and is available on the Housing Commission website.

**Other Staff Present:** Melissa Danowski, Sarah Pizzo, Marie Randall and Alex McMillen of the Housing Division, Department of Community Planning, Housing and Development (CPHD).

#### **Public Comment**

No public comment.

#### **Approval of Notes**

The notes were adjusted to add Sara Rubalcava as present; changed the number of NOFA applications received from four to three; and to note that Doris Ray asked if AHC has a written policy on how long it will take to get an elevator repaired when it is inoperable to address the accessibility standards on maintenance of accessible features. Eric Berkey moved approval of the July 8, 2020 notes as amended, Laura Saul Edwards seconded, and the motion passed unanimously.

#### **Serrano Apartments Update**

The Commission heard an update from Susan Cunningham, AHC interim CEO. Ms. Cunningham explained that in the last several months, AHC has been working on three primary areas regarding The Serrano: supporting the most affected households; improving physical conditions to the building; and working to improve communications.

Regarding AHC's efforts to support households, Ms. Cunningham explained that 45 households initially expressed a desire to move, with 20 households returning to the building after a temporary stay in hotels and 19 families being relocated to other housing communities; she noted that they are still working with six families on their options, with one still staying in a hotel. She noted that 31 residents ultimately moved to hotels voluntarily. Regarding the cost of the hotel stays for all affected families, Ms. Cunningham communicated that she and Ms. Venezia had agreed to postpone a discussion about the matter until later this fall. Regarding the one-time rent credits AHC promised to provide to residents, Ms. Cunningham stated that they were issued at the end of June and were dependent upon the size of residents' units. For families that temporarily left the Serrano, the credits

were credited forward before July rent was collected and for families that did not return to the building, the credit was either forwarded to their new landlord or provided by check, per the residents' preferences. Regarding reimbursements to families for property damage, Ms. Cunningham explained that AHC intended to work with families on such requests and had sent information to residents asking them to inventory costs. Ms. Cunningham stated that many residents did not have renters' insurance. Ms. Cunningham explained that AHC will provide two options to residents, either a decision from a claims adjuster or an in-person mediator, neither of which would require residents to bind themselves to the outcome beforehand. Ms. Cunningham noted during discussion that the mediation option would likely require residents to obtain legal representation on their own, as most mediators in Virginia (as she understood) require both parties to be represented. With the "claims adjuster" option, Ms. Cunningham said that AHC was trying to replicate a renter's insurance process. She explained that AHC would be sending out information to residents about the processes and to gather documentation about losses, such as receipts. Ms. Cunningham said that she understood that not everyone would have receipts, and so AHC would be asking for information such as original cost of the item, a description of the item, and other information that would enable an informed decision regarding reimbursement. Regarding residents' payment of rent while they were temporarily relocated to hotels, Ms. Cunningham stated that while residents who voluntarily relocated to hotels were still held to their leases, they were not charged for utilities, as they were not using them during this time. She added that AHC had to balance the equity of not charging rent for residents who chose to relocate to hotels versus those who stayed in place in their deliberations. Regarding AHC's commitment to put residents on its Board of Directors, Ms. Cunningham noted that it sent out a notice to all AHC residents and has had 24 residents express interest at this time.

Regarding physical improvements to The Serrano, Ms. Cunningham explained that the County had conducted 176 full inspections of units. With regards to air quality, she stated that AHC was heartened to learn from the county's air quality report that no systemic issues (such as asbestos) existed in the building but noted that there remained concerns about moisture challenges in some units that could provide opportunities for mold growth, which likely have been caused by condensation from the building's cooling system. She said that AHC is looking at the systemic issues involved, and in the meantime, remediation measures are taking place to eliminate the moisture and repair drywall, when necessary.

Regarding water damage, Ms. Cunningham explained that any time there is a repair in a building like The Serrano, even for a minor issue, the water for six to seven units will need to be shut off, which requires communication with all affected residents. She said that AHC is exploring whether more water valves can be added retroactively to minimize this disruption to residents.

Regarding rodents, Ms. Cunningham said AHC entertained working with three extermination companies and selected one, which has been both working on remediation measures within the building, but also providing information to residents on rodent prevention measures they can take on their own. To be specific, Ms. Cunningham said that about 650 rodent traps had been set and about 25 creatures had been captured, so AHC believes that progress is being made to reduce the rodent problems within The Serrano.

Ms. Cunningham again apologized on behalf of AHC, stating that the conditions of the building did not live up to the high standards AHC sets for itself in its properties. She said that it is a big part of her mandate to improve communications with residents, at The Serrano. Ms. Cunningham explained that AHC has rolled out a text messaging service for which over 85 percent of Serrano households have enrolled, which helps building management share information about things like elevator outages, or if there are other notices residents need (like their water may be shut off for an hour) or

about resident meetings; she said the messages are being sent in both English and Spanish. Ms. Cunningham said that AHC is also trying to expand its focus of residents' needs by sending out a survey and establishing a regular schedule for resident meetings; a professional translation service has been procured to ensure English and Spanish can be heard in real-time for resident meetings.

**Public Comment:** The Housing Commission heard from three speakers. Mr. Julius Spain, President of the NAACP Arlington Branch, expressed his concern that empathy and sincerity from AHC for some of its most vulnerable residents was still lacking and frustration that no one was being held accountable for the neglect of the property, and as a result, the risk of the safety of its residents. Ms. Janeth Valenzuela, the community advocate with likely the longest history of advocating for residents in The Serrano regarding unsafe conditions, provided an overview of how she and residents raised issues about the building back in 2018 and said that AHC is using the same tactics it used previously to deny compensation to residents now. Ms. Valenzuela asserted that AHC did not offer compensation to residents for property losses until advocates started a public fundraiser that received press attention and stated that when advocates raised concerns about the need for legal representation in a mediation process, AHC blamed advocates for making the process take too long. Ms. Valenzuela expressed her belief that similar physical conditions exist at other AHC properties and requested that the County not approve any additional developments until these issues are resolved. Ms. Angel Jackson, a recently relocated Serrano resident, shared her experience of being treated with disrespect by property management at both the Serrano, and her new building, the Apex, for the simple reason that the building was affordable housing

**Discussion:** Commissioners MacBeth and Hemminger raised concerns about the treatment of residents by property management, including possible discrimination. In response, Ms. Cunningham explained that AHC's business is focused on providing equitable service within its communities and explained that in addition to its anonymous reporting line that it has installed, it is engaging in corporate-level inclusion and diversity efforts. Regarding specific allegations raised by residents and advocates, Ms. Cunningham said that she looked into them as soon as she was appointed interim CEO and asked for inquiries from Drucker + Falk; she said that at this time, she is not aware of anything that she thinks requires a response, but she has stressed to the property management company, as well as AHC, the importance of treating residents with respect. Commissioner Berkey raised concerns about accountability and offered that one of the challenges in rebuilding trust been residents and property management may be an acknowledgment of bad actions, and not just taking positive steps, such as rent credits. Several Commissioners expressed concerns about AHC's culture and how it has contributed to the stories the County Board and Housing Commission have heard from residents about poor treatment.

### **FY22 County Loan Fund NOFA**

Alex McMillen went over the staff recommendation to begin loan negotiations and the public process for County funding of the Marbella Site A application proposed by APAH. The application scored the highest amount of total points; it meets many goals in the Affordable Housing Master Plan, specifically excelling in adding family sized units and units at the deepest levels of affordability (30% and 40% AMI); the County has the funding availability to fully fund this project in FY22; and APAH has indicated they would prefer to move forward with Marbella Site A, as opposed to Marbella Site B, as that works best for their development pipeline.

Eric Berkey said that it is interesting that Enterprise Green Valley is so much more per unit. Michael Hemminger said that it sounds like the primary reason for delaying site B is funding from the NOFA and asked what the allocation is this year. Alex McMillen said that the estimated level of available funding for the FY2022 NOFA is \$18-21 million. Paul Browne said that this reminds him of what

happened to an AHC project and it points out the difficulty of acquiring new land with the cost differential that can be attributed to buying the land. He added that to create new opportunities we might need to take into account that land is expensive and to weight it accordingly in the scoring. Alice Hogan added that she wonders if we want to think about a predevelopment pot and to break out those costs from AHIF to help out with some of these costs to get ready. Eric Berkey asked if there is the possibility of a quick strike, couldn't Enterprise do that and not wait for the next cycle. Alex McMillen said that staff meet with Enterprise and there is no planning done yet for this site and it might push it nicely into the next cycle and added that we do have an out of cycle process but would have to look at the budget.