

Coordinating Committee to End Homelessness (CCEH) Meeting Minutes



April 20, 2011
Portland Housing Bureau

Facilitated by: Marc Jolin & Shannon Singleton

Prepared by: Mary Welch

Reviewed by: Steering Committee & CCEH

Present: Sonja Arigbon, EV Armitage, Stacy Borke, Heather Brown, Caitlin Campbell, Jennifer Chang, Gary Cobb, Gary Davis, Rev. Paul Davis, Ryan Deibert, Dustin DeWitt, Louise Dix, Bob Durston, Christina Dirks, Sally Erickson, Lisa Fay, Roger Fuchs, Donald Hice, Jim Hlava, Amanda Hurley, Liv Jenssen, Marc Jolin, Marylee King, Peggy Kuhn, Jess Larson, Alison McIntosh, Molli Mitchell, Michael Mellick, Ibrahim Mubarak, Rachel Payton, Rachel Phariss, Natasha Roe, Erika Silver, Shannon Singleton, Kerri Smith Slingerland, Donna T., Larry Turner, Tom Wehrley, Bobby Weinstock, Deborah Weston, Renata Wilson, Monika Weitzel

I. Introductions – Marc Jolin

II. Updates

Medical Debt Collection - Deborah Weston, Oregon Law Center

The Oregon Law Center is a nonprofit law organization specializing in public benefits and medical debt collection assistance. By law, people with OHP insurance shouldn't be getting billed for medical expenses unless the patient is given a waiver to sign that specifically states that they will be responsible for paying. This can cause undue hardship to those who are already economically struggling. If individuals know of any cases where this is happening, contact Deborah at: 503-473-8313 or dweston@oregonlawcenter.org.

Lessons Learned from Other Communities – Sally Erickson, PHB; Israel Bayer, Street Roots; Marc Jolin, JOIN

Fellows with the National Alliance to End Homelessness met with staff from the US Department of Labor, HUD and the VA. They discussed progress on the federal plan, which includes goals to end VA and family homelessness within five years. The VA is stepping up their outreach and anyone who was in the military is eligible for the benefits. The VA will have a presence at the Bud Clark Commons and will have additional funds to go towards outreach, housing and services for homeless Veterans.

Miami-Dade County has seen their rate of homelessness decrease drastically over the last 15 years because of a business led effort. The business community agreed to a 1% self-tax to be put into a trust by any business that serves alcohol. Funds are used to support housing and ending homelessness programs.

A group went to Seattle to discuss a property tax levy. They discussed partnerships and how to make a similar levy here in Portland feasible and successful. There has been a severe decline in TIF resulting in a drastic drop in the amount of funding PHB can provide to nonprofit partners. In upcoming months and years, it'll be important to get all organizations involved in this effort.

Summit of Multnomah County Families, Schools, Staff and Communities - Liv Jenson, Multnomah County

The summit was held on April 15th and was a chance for networking and learning from other attendees in a relaxed, informal way. This was a chance to think creatively about different things that can be done in your own neighborhoods to support children and families experiencing homelessness.

III. Fair Housing and Service Animals – Moley Good, Fair Housing Council of Oregon

The Fair Housing Council's mission is to eliminate housing discrimination by providing education and outreach about housing laws and their enforcement. Housing for people with disabilities brings different issues to consider. By fair housing law, housing providers are required to make reasonable accommodations for people with disabilities who wish to live in a particular building. Housing providers have to allow any type of service animal that is used specifically to aid a person with a disability.

In the cases of shelters, if a person is allowed to stay at a place for two weeks uninterrupted and can store his/her belongings there, it is reasonable to conclude that the place is considered a dwelling and reasonable accommodations will need to be made. If the program doesn't meet those requirements, it wouldn't be considered a dwelling but would still be required to meet the Title 6 and ADA guidelines for being a place of public accommodation. Hospitals, hotels, and jail are examples of other places where there is no expectation for the individual to return after leaving, and as such are not required to meet fair housing guidelines.

The general rule for shelters that allow both men and women is that there needs to be a separate bathroom facility. For instance if someone goes to a domestic violence shelter and has a 16-year old son, they would be expected to allow the son in too if there was a separate bathroom facility.

When a person identifies themselves as transgendered the housing provider is required to recognize them as the gender they identify as. The Oregon Bureau of Labor and Industries (BOLI) takes this position too but these regulations are still developing.

In the case of a blind person using a seeing-eye dog, the fair housing law requires the dog to be allowed where dogs aren't normally allowed. The dog isn't seen as a pet but as a service animal. The concept is triggered by a number of other laws but the "reasonable accommodation" needs to be the nexus between the disability and the service animal for it to be permissible.

Granting the reasonable accommodation can't put an undue administrative and financial burden on the housing provider. The provider also has the right to request verification that the service animal is in fact needed and trained for that specific purpose.

The Department of Housing and Urban Development's Americans with Disabilities Act report defines a service animal much more narrowly than fair housing law and only recognizes service dogs whereas fair housing must recognize all animals.

Service Animal – Performs a specific service (seeing, seizure, diabetes, etc) and can come in all shapes and sizes (ie: iguanas).

Companion Animal – Plays a therapeutic role, no specific training is required and the presence of the animal allows a person with anxiety, depression, etc to function.

Questions/Comments:

- **Are there weight and breed restrictions?** If the dog is recognized as a service animal all weights and breeds must be accepted.
- **Is there “how to” information available on what a reasonable accommodation and/or standard verification statement would look like?** There is one on the fair housing website: www.fhco.org.
- **Do applicants have to ask for reasonable accommodation or does the provider have an obligation to acknowledge the disability?** They don't necessarily have to ask but they do need to be informed of the disability.
- **Does an applicant have to provide a reason they need the reasonable accommodation?** No but the provider can ask two questions: 1) Is this a service animal? 2) What service does it providing?
- When there is public money involved in the housing there is a lot of additional reporting and compliance obligations the provider must complete.
- **Can you train the animal yourself?** The animal must be professionally trained to be a service animal.
- **When federal funds are filtered through one organization to another is it still considered federal funds?** Yes, compliance to federal laws still applies.
- **What type of paper trail can you require from someone in transitional housing to document their service animal?** You can require that the animal is licensed with the county in permanent housing but with transitional housing it's more of a gray area and you may be in violation of the fair housing act if you require this much.
- **Is it legal to make them verify they actually need the service animal for their disability?** If the disability isn't obvious you can ask for verification.
- Some housing providers believe they are a private entity and that fair housing laws don't apply to them but that is incorrect and the law still applies.
- **Is there a penalty or fine for falsifying a service animal?** No, but the end result would be that you could be kicked out of the housing and not get a reference.
- **When people are vouchered into hotels that have a no pet policy do they have to take the service animal?** Yes, all ADA rules apply to public places.
- **If there is a person in a group housing situation with allergies, do I still have to make reasonable accommodations for a new tenant with a service animal?** If the allergies were identified as a disability for that person, and the person with the allergies had been in housing first, then, it would supercede allowing the animal in. However, if this were not the case, the landlord would still have to carefully consider the service animal accommodation request.