



# PORTLAND HOUSING BUREAU

Portland Housing Advisory Commission

Tuesday, May 5, 2015

3:00 p.m. – 5:00pm

Portland Housing Bureau

421 SW 6th Ave, Suite 500

Portland, OR 97204

- ✓ = PHAC public member action item
- ▶ = PHB staff member action item

## May Meeting Minutes - FINAL

**Members Present:** Amy Anderson, Bill Gentile, Jesse Beason, Dike Dame, Jean DeMaster, Rey España, Elisa Harrigan, Debrah Imse, Wayne Miya, Sarah Zahn

**Members Excused:** Andrew Colas, Tom Brenneke

**Staff Present:** Andrea Matthiessen, Kim McCarty, Antoinette Pietka, Javier Mena, Matthew Tschabold, Cheyenne Sheehan

**Guests Present:** Shannon Callahan, Karl Dinkelspiel, Mike Johnson

Agenda Item	Discussion Highlights	Outcomes / Next Steps
<p><b>Welcome &amp; Review Meeting Purpose, Review Minutes</b></p>	<p>Jesse opened the meeting and announced additions to the agenda by member request. Adding an update to the Hoyt Street Property purchase and the Lents/PDC Partnership which will be presented by Karl D. Mike will share details of the Mayor’s proposed budget that was released yesterday and we will get an update on the hiring process for the next PHB Executive Director. The meeting minutes from April were included in the packets but were not reviewed or discussed.</p>	<p>Added agenda items to meeting.</p>
<p><b>ADDED ITEM: Lents/PDC Partnership Request for Information</b></p>	<p>Karl states PDC owns some significant property in the Lents Town Center. They put out an RFI in fall of 2014, received six proposals and are moving ahead with four of them... one of which originally had housing included, but is now an Asian health center on Foster. The other three proposals have housing in them, Dike will discuss his proposal. Of the other two, one is from Palindrome, they have secured the development rights to the New Copper Penny site. The phase one proposal includes 105 units of affordable housing and ground floor commercial space of approximately 5,000 to 10,000 square feet. Rose CDC proposed a housing-only development on the North side of Lents Town Center of 46 units, 14 of which will be affordable at 60% MFI. Dike’s company submitted another proposal for a property on Foster Rd. This would include approximately 40-50 units with 16 affordable up to 60% MFI and 5000 square feet of</p>	

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	<p>commercial space. Discussions are ongoing. PDC will work with the development teams. The proposals with affordable housing still need to be shaped up, particularly because rents are fairly low in the neighborhood. PDC and PHB will partner on these developments. PDC has said tentatively that PHB could have access to a significant amount of TIF that was previously not in our budget, but these projects are at the very formative stages.</p> <p>Rey asks if Karl had a better sense of the timeline of when we should expect to see progress on these developments.</p> <p>Karl answers that the proposals all have a struggle around the rents in the district. From a financial feasibility perspective they all came in with sort of sizable gaps. The challenge is that because the gaps are so sizable that it still to be determined whether PHB and PDC are interested in these proposals. We need to answer those questions first before we can determine a timeline.</p> <p>Rey offers the feedback that some of the coordination between PHB and PDC, and sharing of information has been inconsistent in the past. In speaking to some of the neighbors out there, due to a project he is working on in the area, they are very concerned with timely follow through. He wants to avoid awkwardness between the community and the City due to lack of follow through on past commitments. He feels that any community outreach efforts initiated by PDC or PHB, should be carefully considered in relation to timing so neighbors don't get frustrated.</p> <p>Karl states there is a larger theme between PDC and PHB on coordination. Collaboration has really snowballed only in the past few months. It is much better than it was even last year. But the point about PDC, that it doesn't have necessarily the same reputation in the community as PHB, is a point very well taken.</p> <p>Jesse asks about gap financing clarification. Is the reason for the gaps being huge is that it costs more to build than the market rent rates will bear in the area?</p> <p>Karl answers yes.</p> <p>Jesse continues asking if PDC might be willing to give some more housing dollars in addition to the TIF set aside to make PHB to make this project work?</p>	

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	<p>Karl answers in the affirmative.</p> <p>Jesse asks, if you are putting financing into the project that is greater than what the market will bear does that mean it's in some ways fulfilling more of an ec-deadroll that PDC might want to see rather than what PHB would do with its structured TIF set aside dollars?</p> <p>Karl answers yes. PHB has said tentatively that even though PDC will be providing TIF that we wouldn't otherwise have, we will not go above what we would consider our regular subsidy. So anything else that remains on those mixed use projects would be on PDC to decide whether or not they want to subsidize the project in terms of economic development. We have said we're limiting our subsidy to our basic average and this is what is left over, PDC has to decide based on that if they want to go forward.</p>	
<p><b>ADDED ITEM: Hoyt Street Properties Purchase</b></p>	<p>Karl continues; block 26 is a property that came as a result of a development agreement with HSP in the river district. One of the provisions of the agreement was that if certain housing goals were unmet that PDC/PHB would have the right to purchase a piece of property from HSP. We exercised that right and were successful in purchasing a 10,000 square foot site a couple of weeks ago across the street from the Ramona and the Abigail and we will issue an RFP very quickly. We have 3 years to develop it or HSP has the option to purchase it back. We expect 40-50 units of which half of them will be family sized units. The specifics of the RFP are still to be determined.</p> <p>Dike asks, on the HSP we paid \$1.3 million? So how many units will that be?</p> <p>Karl answers affirmatively and between 40 and 50 units, half of which will be between 2 and 3 bedrooms, plus ground floor commercial space.</p> <p>Jesse asks whether there is already TIF for the project. Karl answers affirmatively.</p>	
<p><b>MULTE Program Reform</b></p>	<p>Jesse moved the meeting to the next scheduled agenda item and turned it over to Andrea Matthiessen.</p> <p>Andrea states, since the PHAC last reviewed the MULTE Program document in April, there haven't been many changes but this the most recent version is back in front of the PHAC for a final review before things move forward in a more formal capacity.</p>	<p>► Staff to present MULTE Program proposed revisions to PHAC at May PHAC meeting before it goes to City Council and County Commission.</p>

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	<p>Staff has vetted the proposed revisions to the MULTE with current program stakeholders, other potential interested program users, staff from the County tax assessor's office, and staff from Chair Kafoury's office.</p> <p>Changes detailed from the original include:</p> <p>Tripling the cap on Foregone Revenue from \$1 million to \$3 million with a goal of achieving 200 units of affordable housing annually.</p> <p>Worked on changes to fees/penalties related to non-compliance. While we don't condone opting out of the program we would like to dissuade projects from ceasing to provide affordability, while at the same time making it very predictable for our development partners in regard to what will happen if they were non-compliant with the affordable requirements. It was important that this is a calculation that could be easily completed and calculated.</p> <p>There were no concerns from stakeholders regarding removing the Rate of Return Requirements. We were really striving to increase the affordability that this program might realize for the community, but we heard very clearly from some of our development partners that to increase that with any significance would probably be a disincentive for their use of the program. Developers ran the numbers on some existing projects to show how that would affect even an increase of 20% affordability to 25% affordability in this market, and it wasn't highly appealing for them.</p> <p>The Minority Contracting Process, we had a lot of feedback on that from PHAC at April's meeting. To revisit where we ended up, we are sticking with the vision that applicants will be required to meet with the bureau and a third party technical assistance provider prior to applying for the program. They will also need to pay for the technical assistance work and will need to then continue to work with the third party throughout the life of the project. This will help them understand the challenges and strategies for increasing minority contracting participation.</p> <p>The Lease-up Process is similar in that it is a very prescribed process that the bureau will facilitate in terms of helping developers to navigate appropriate community partners to engage with, the marketing strategies that can help to identify people from the community in which the projects are being developed.</p>	

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	<p>Accessibility – the feedback we heard is that when we went down the route of requiring accessible units was that adaptable units would be a better option to comply with requirements.</p> <p>In regards to exemptions, we also want to make it clear that there is a process by which projects can request an exemption to our current eligible geographic areas.</p> <p>Ray asks if Andrea can go over the affordability percentage piece of the tax exemption portion again referring to the developers showing them numbers of a change to the affordability percentage.</p> <p>Andrea states that it's a very fine line between requiring that 20% of units be affordable at 60% or 80% MFI and requiring 25% at those levels of affordability in terms of the value of the benefit of the tax exemption. And in this market where rents are escalating so quickly, it doesn't necessarily pencil out with the financial feasibility of these projects to provide greater affordability given the value of the tax exemption. They just wouldn't use the program.</p> <p>Rey asks, what is the projected participation expected in this program, per year.</p> <p>Andrea answers that she's not sure that they would know at this point. The bureau goal is a minimum of 20%. But considering who is developing in Portland and who is pulling permits and what kind of relationships they have with minority contractors in the community, we want to help support them in creating those relationships, so that might not necessarily hit 20% the first time they are building a project in Portland. That's where their technical assistance provider comes in. Ideally, should a project then come back to the program, which is what we hope happens so that we get more affordable units, we've got a third party technical assistance provider who then can shed some light on why the project might not have hit the 20% goal and describe the barriers to meeting that goal.</p> <p>Jesse asks, given the geographic areas, do you have a general sense of what are the size projects you would expect to be seeing, what are the benefits we are providing, and what are the economic benefits of what we are providing. Secondly, why would a developer want to do this project, is it out of the goodness of their hearts, or is it that the project cannot go forward without the tax exemption?</p>	

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	<p>Andrea answers that these are similar to the questions we get in City Council and the County commission, who has to bless this as well. In this market, in terms of why developers would use the program is an excellent question that I ask myself at times. We recently had a project where the rents they were planning at the time they applied, compared to the rents they can charge at lease-up would just boggle your mind. I think location has something to do with it. There is the possibility that some developers are hedging their bets on what is going to happen in the market over the ten year period of time. So part of that is what kind of developer are we talking about here? Are they going to hold onto the project or sell the project? That does influence who's going to use the program. When you look at the value of the discounted affordable rents compared to the market rents, it's not easy to draw a straight line that makes sense. When we ask developers some of these same questions and they talk about reporting costs and a clientele who may have implications on the project... and they are having to convince their investors to accept limited returns. Those are just some of the things we hear from development partners. So getting rid of the 10% rate of return that we are proposing here gets at some of the questions you had. None of these projects would cease to move forward without the tax exemption. The project would move forward, but the affordability would not happen "but for" the tax exemption. There have been questions like, maybe we should just tax everybody and provide rent assistance rather than affordability, but one thing we do know about this program, given the location of the projects we are seeing in the past year, is that cash investments the City has available, don't typically buy projects in the locations that these exist in or with the amenities that these bring to the table.</p> <p>Amy asks, as we develop certain areas of Portland further out toward the Powell and Division area, Tri-Met is getting ready to develop that for more transportation in the neighborhoods, is there a percentage that other agencies and people use to determine how much it's worth investing in a certain area and whether or not it's going to pay out later? How do people determine where they're going to set up shop and expansion when it comes to the City of Portland? Is there some kind of forecasting that goes into building up these areas?</p> <p>Jesse answers that there are a lot of people who make their money off that.</p> <p>Javier answers in terms of City and government investments with the expansion of transportation there is a large investment that will happen in the next 5 years.</p>	

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	<p>Internally we've talked about how this should not be an isolated investment of transportation, that there also has to be an investment in housing and retention. The focus should be on transportations, affordability, and retention.</p> <p>Rey asks where we are technically with this.</p> <p>Andrea answers, City Council--we see this in the form of an ordinance to approve the changes mid-June.</p> <p>Ray comments that he wants to express his concern that what he's seeing is that, Portland is now a have and have-nots sort of community. If we can't expect more affordable units being developed and developers building that into the cost of doing business then we have a really serious problem. He'd like to hear from other folks on whether they have any concern at all on the softening up on things like changing from accessibility to adaptability to a percentage that he don't think is high enough. He understands the business case that is trying to be made but is concerned about the policy direction of the bureau.</p> <p>Javier answers in terms of the bureau, he doesn't think we have delineated from what we've been doing. He believes this program specifically, is strengthening being more directed as to exactly what we are expecting. In terms of our other investments, we continue to have the same components associated with them in terms of equity, accessibility, and outreach. This program is being structured in such a way that it's very directed and clear about what is expected not only within the community but with developers.</p> <p>Rey comments, some of the history that you've shared shows that it's been kind of soft on non-compliance or unclear about not complying. Developers have not taken it as seriously as others would like them to which is part of the history of this project. He wants to raise the concern one more time that we are going in the wrong direction. The market rate numbers that he sees people paying, the housing that is not being built for people that live here now, but for people they want to import here. At some point, and he'd like to hear from developers on this, but it's a matter of adjusting and working with the bureau, but it is the cost of doing business.</p> <p>Sarah comments that from her perspective having been on both sides of the table in terms of the type of housing she's been involved in, this program provides a way for</p>	

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	<p>the City to make a pretty low cost investment in affordable housing and get affordable housing in areas that they may not otherwise get it. She thinks the changes being proposed are positive. They are providing more clarity to a developer who may not be familiar with some of the requirements that are typical for those of us in the affordable housing world who have worked with PHB in the past. It puts the appropriate level of requirements around the developer to produce those types of units without undue burden that would make them run away. In her mind, what is a relatively low barrier for entry for a developer who may not otherwise consider putting 60% or 80% units in their project, this is a great way for the City to increase affordable housing stock. She thinks Javier's point is important to remember, that the changes here are not significant in terms of increasing or decreasing affordability. The same targets are in place, what the bureau has done effectively is to clarify the expectations around compliance and MWESB. It may not be the same MWESB goals that we are accustomed to seeing for our large investment projects, but to the degree that they found a way to hire a developer who maybe has never worked with that program before to feel that they can effectively engage, this is a good strategy. From her perspective of developing for-profit housing, this is a program that will be used and will developers will continue to use in neighborhoods that are not TIF neighborhoods.</p> <p>Dike comments that he agrees with everything Sarah said and we all agree that there is not enough money to do everything that everyone would like to do. He would look at this as a small piece of what is left to do. This will work for some and not for others. Something will be gained from this. The elephant in the room for him is inclusionary housing. The city has to have a conversation about inclusionary housing if you want to accomplish everything.</p> <p>Jean says the other side of the equation, in terms of PHB's goals is to reduce homelessness and create housing for very low income people. If you say 60% or 80% is enough, then what incentive is there to get to that 23,000 unit gap and to cut the number of homeless households in half – how do you address that gap?</p> <p>Javier answers that this program is not part of that purview.</p> <p>Jean states that this program is going one direction and A Home for Everyone is going another direction and it seems like they should be working toward the same goals.</p>	



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	<p>Javier says he doesn't see these two programs ever coming together because of the budgets and mathematics that we're talking about. In answer to A Home for Everyone and homelessness, internally we are doing a lot more work from our homeless team to our investment team being engaged in the developments that PHB is funding to ensure that there is a component in A Home for Everyone included in those investments.</p> <p>Jesse asks, you said \$3 million annually with a rough goal of 200 units... that's \$15,000 per unit over 10 years, that's \$1,500 per year per unit, that's \$125 per month. So for \$125 per month of foregone tax revenue you will have bought a 60% unit that technically would have gone for market rate. Correct? One of the things we are trying to figure out is for \$125 per month, could you deliver a 60% unit and subsidize someone's rent for that \$125. Is that a better way? It doesn't seem like it's enough.</p> <p>The discussion continues around whether it's worth it to get these 60% units for 10 years for \$3 million dollars. Some people think we should be able to get more out of it, others saying probably not.</p> <p>Jesse continues by asking whether or not PHAC wants to take a position on the MULTE document. This will go on to City Council and the County with either our blessing or not. Jesse asks how the committee feels about that.</p> <p>Dike asks where the \$3 million figure comes from and Andrea answers that it's a rough estimate based on the last couple years of estimated foregone revenue.</p> <p>Dike wonders what if PHB asked for more, would the Council/County approve it? Andrea answers that if the advocacy community demanded more, they might get more. Our ability to use more really depends on what the requirements are. The more public benefits we layer on the less likely, in this market, to use it. In the previous version of this program between 2009 and 2011, there were lots of requirements, but we struggled to get developers to use the program.</p> <p>Javier adds that in terms of the \$3 million there's an assessment of what we can deliver based on the changes that we have in front of us. If we go above and beyond the cap there is a concern that the County would react negatively.</p>	

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	<p>Andrea adds that the County Tax Assessor has advised that they not go into conversations with a dollar amount in mind, but to ask for the number of units that are needed, so the cap is not too defined.</p> <p>There is additional discussion about whether or not to take a position on the MULTE. Rey says that if asked to vote right now, he would vote against it.</p> <p>Sarah asks whether given the lack of alignment on the committee whether PHAC's vote strengthens PHB's position in front of council or not.</p> <p>Andrea answers that while PHAC's support is very valuable it is not needed for PHAC to take a position at this time. She invites members to testify at council if they feel strongly for or against the MULTE document.</p> <p>No vote was taken – Jesse moves the meeting on to the State of Housing Report.</p>	
<p><b>State of Housing Report</b></p>	<p>Matthew Tschabold presents the State of Housing in Portland 2015 Phase One Report with Antoinette Pietka. Some context was offered regarding the design of the report. The report was created at the request of Commissioner Saltzman, the purpose being to provide data and information to City Council, PHB, and our community partners, to help guide affordable housing policy, development, and programming, throughout the City.</p> <p>The intention is this will be an annual report and it will be published in two phases. Phase one has been sent out and publicized in various ways, the intent is to garner comment and reaction from our partners in the community regarding the data points and information that are valuable vs less valuable, whether there are data that was not included that should be included, etc. This annual report will be presented each September/October at the start of the Bureau's internal budget discussions.</p> <p>Data is pulled from the Federal Census Bureau, the City, the County, Metro, as well as several market sources. These data sources, consistent across issue area traditionally undercount vulnerable populations as well as communities of color. PHB does not source data, only pulls from available data sources, with the exception of the homelessness count data.</p> <p>The report looks at data from a city-wide level as well as 24 neighborhood areas, which gives us up to a 95% confidence level in the data. Matthew presents the finer points of the report in his PowerPoint presentation. The full report can be found at the following link on the PHB website;  <a href="http://www.portlandoregon.gov/phb/article/528253">http://www.portlandoregon.gov/phb/article/528253</a></p>	<p>►Members are asked to provide feedback and suggestions on data included in Phase One and data that should possibly be included in Phase Two.</p> <p>Members are also asked to provide suggestions of organizations PHB should ask for additional feedback.</p>

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	<p>Amy asked why there was no representation of the mobile home parks.</p> <p>Matthew responds that we should probably check with Bimal, but his understanding is that if mobile homes are owned they are in the ownership data of the report. One big data gap in the report is single family home rentals. At this point there is not a great source for pulling city-wide data for single family home rentals.</p> <p>Bill asks if it's possible to get a copy of the PowerPoint.</p> <p>Matt responds in the affirmative (and subsequently sent a copy of the presentation as a PDF and a PowerPoint presentation to the committee on 5/6/15).</p> <p>Jean asked about the No-Net-Loss policy.</p> <p>Matt commented that the City is no longer meeting the No-Net-Loss requirement in the central city and explains while the City itself has continued to increase the number of regulated units, consistently since 2008, the loss has been in the market rate housing.</p> <p>Javier adds that the number is 6,551 for No-Net-Loss unit goals.</p> <p>Matt continues to explain the definition of No-Net-Loss. It was put in place as a whole number of units that the City would maintain at 60% MFI or below, 8,286 rental units. The last survey of the field was in 2008 and at that time we were just meeting that goal through a combination of regulated units and market rate units. Since then market rate rents have increased faster than incomes have, so the regulated stock has increased to 6,551 but there has been a virtually complete loss in market rate units.</p> <p>Jesse asks about the forecasting request by City Council.</p> <p>Matt answers that there are about 300 data points to consider and PHB will work with Planning and Sustainability on that. They currently do some forecasting numbers pertinent to population and population trends and they do robust forecasting on whether or not the City has the capacity to absorb the anticipated increase in the number of households, but that it's usually through a land use and zoning lens vs a stock lens. So when people ask to add forecasting what they are really asking for is</p>	

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	<p>anticipating where the market is going in rental rates and housing prices and change in housing stock. All of these forecasting requests are incredibly complex to do and require complex modeling. We will be pursuing that with some partner organizations to a certain extent.</p> <p>Dike comments that the housing market is such in Portland that if you want to rent a Uhaul truck in the Bay Area and drive it to Portland one way, the premium is \$1,000. In other words, we can expect our area to continue growing for quite some time. A current Deacon study shows that Portland has one of the highest in-migration percentages compared to people leaving than anywhere else in the country.</p> <p>Discussion on in-migration and other challenges to affordability continue.</p> <p>Rey states that in challenges to affordability people will soon be talking about rent control. And as far as what housing costs, versus what people earn, we need to talk about how people can afford to stay here. He encourages this work to continue.</p> <p>Jean is struck by the numbers in the report showing the median income being significantly lower in 2013 than in 2000. She asks whether this is a trend in the City or a profile in certain neighborhoods that were looked at for the report.</p> <p>Matt answers that the citywide trend is that after adjustment for inflation in 2013 the median income as a whole, averaged in the City has dipped. As recession recovery continued it looked like in 2013 it was heading up above 2000 levels for the City as a whole. But in communities of color they are not seeing that same uptick, in fact, it's a steady decline since 2000.</p> <p>Wayne asks if there is data on how many of those units are subsidized.</p> <p>Matt answer yes – if you look at the neighborhood profiles in the housing stock and production table there is a line titled “regulated affordable housing units”. There’s a count of 2011 from the Metro inventory, so it’s not just City funded. We did have requests from City Council to build out the City funded component year over year. So we will be doing that. Phase Two will have the year over year numbers of City funded.</p> <p>Jesse notes that we are just receiving this report for information.</p>	

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	<p>Matt concurs and continues that they solicit feedback to make some adjustments and asks the committee to take some time to review and if there are suggestions or ideas for organizations we should talk to in terms of the report's content but also feedback we are happy to have those conversations.</p> <p>Amy asks about the difference between MFI and Median Income.</p> <p>Matt answers in Phase Two they will do a better job showing the distinction and why we are looking at Median Household Income and not just MFI as percentages of the HUD values.</p>	
<p><b>Fair Housing Month and Fair Housing Assessment</b></p>	<p>Jesse turned the meeting over to Kim McCarty for Fair Housing Audit Testing presentation. The presentation was put together by Pegge McGuire ED of Fair Housing Council of Oregon (FHCO). It's a synopsis of the report that they did for PHB who contracted with the Fair Housing Center of Washington and they subcontracted with the FHCO to do the audit testing for PHB. This is part of a larger assessment process that's being done regarding fair housing in Portland, Multnomah County, and Gresham, but this report is focused on Portland.</p> <p>They tested for a wide variety of protected classes, mostly in person, some by phone using a control tester and protected class testers. Test results were assessed by a staff person to determine if results were positive or negative for unfair treatment. This kind of testing is not considered entrapment. Results could be positive, negative, or inconclusive. Retests for inconclusive or positive tests are standard to determine whether further investigation is necessary. 3-4 positive tests are generally referred to HUD or BOLI for further investigation which begins an administrative process that could end in conciliation or civil court.</p> <p>Testing started in 2013 and concluded in April 2015. Sometimes full retesting was not possible in the time frame. 51 tests were done, 12 tests were positive, 8 were inconclusive. There were enough retests that at least one finding will be referred for further investigation/enforcement.</p> <p>Amy asks if there is a plan to do a publication on the web on landlords/property managers who have are known to have had questionable results in order to save low income people for wasting application fees.</p> <p>Kim states that has happened in various ways in the past. BOLI had a judgment with a local property management company regarding familial status that got a lot of media.</p>	

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	<p>Because of that people became aware of it as an issue that they could seek remedy for if there was discrimination. At this point it's being explored in regards to specific landlords and issues.</p> <p>Jesse announces that Shannon Callahan from the Commissioner Saltzman's office is here for additional commentary on fair housing.</p> <p>Shannon states that Commissioner Saltzman has had the Housing Bureau in his portfolio for about two years and that the audit testing results the PHAC is seeing now is more than a four year process between the original tests and these. The Commissioner's office is going to be asking the community as well as the PHAC and FHAC about whether there is value in having an annual Fair Housing Report and audit testing. The City made a commitment to audit testing four years ago, but has not been able to keep that commitment due to the low vacancy rates in the City which contributes to difficulty in retesting. The commissioner want to know how often the community would like this data and what they would like the data to be used for. The data from this report is not vastly different than the data of four years ago. There were a number of retests in this report that did not get done on initial positive or inconclusive test results. They chose to publish the report even with the lack of retests because it took four years and they felt it was important to let the community know what is happening. But there was a commitment from FHCO before it was released that they would continue to do retesting on those providers. There are some policy questions that can most probably be fixed with education, but a lot of the issues the office does not believe can be fixed with education, only with enforcement. When there is a consistent pattern of people of color being told that units aren't available or are quoted different rates or requirements it appears to be blatant bias and discrimination and that won't be fixed with education. She believes the data is fairly shocking and the office is committed to continuing to complete the tests. She asks the PHAC for their opinion on how they should go about this in the future.</p> <p>Dike asks to know more about the enforcement piece. What happens if someone is a repeated violator?</p> <p>Kim answers that she wishes they had one of the lawyers here but if repeated the repercussions would become more severe. A repeated test doesn't necessarily mean that there have been repeated violations.</p>	

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	<p>Shannon clarifies that the baseline for further investigation is three tests with a positive result, ideally with the same leasing agent. BOLI doesn't get involved until that baseline is met. Audit results are confidential until referral to BOLI for administrative process. Generally the first step is an attempt to conciliate and mediate the issue.</p> <p>Kim continues that at the Bureau we don't know who the housing provider is, only the FHCO is aware of that throughout the testing process.</p> <p>Jesse asks we pay for audit testing but often the test results are not enough to build a case for enforcement against the housing provider. Correct?</p> <p>Shannon answers that audit testing has happened twice, but after 50 initial tests there were no retests done the first time in 2010. Without retests it's impossible to go to the enforcement stage. Since the first tests were a bit of a disaster, this second round of tests was an attempt to take into account different factors and enforce where appropriate.</p> <p>Jesse asks out of the 50 tests done in this latest testing only one is being referred to BOLI who may or may not act on it. We are not even at the point of enforcement with BOLI.</p> <p>Javier adds that that's the challenge in audit testing in this market, it can take several years to complete enough tests to refer for further action. So to put in place an expectation of an annual report seems challenging, maybe a rolling report would make more sense.</p> <p>Jesse adds that throughout the process the anonymity of the provider is important because BOLI may have additional information they are working with than just the audit testing data.</p> <p>Discussion continues on the enforcement part of the testing.</p> <p>Amy states that the data may become moot because people are being priced out of the market to the point they may not even apply. She asks whether or not there can be a more robust complaint and grievance process that helps tenants get more support when the event happens? If we can take more action at the time more quickly when the event occurs she thinks it will be more beneficial as a whole.</p>	

Agenda Item	Discussion Highlights	Outcomes / Next Steps
	<p>Kim states that we are working with the Community Alliance of Tenants and have funded them for this year and next year to do a pilot project where renters can get more immediate advocacy because it's not always in the best interest of the renter to take on a fair housing case when they can take years to resolve.</p> <p>Jean adds that without repeated testing and enforcement there is no incentive for providers to follow fair housing laws. She also question whether property managers who work for providers have sufficient training in fair housing law.</p> <p>Deborah says this training is available and that her organization did over 45 fair housing trainings last year and over 1100 onsite folks went through those trainings. But training is no guarantee that someone won't bring their own bigoted or racist beliefs into their workplace. She does believe that good landlords want the bad apples out of the market through enforcement, penalties etc. While additional education for providers won't fix everything, having more education so that tenants know their rights is very important as well as providing a vehicle for them to exercise those rights.</p> <p>Jesse adds that maybe the conversation with FHAC members would be good. Giving feedback to landlords even if retests haven't been complete could be positive.</p> <p>Jesse summarizes the general leaning of the PHAC is that while annual testing/reporting doesn't seem imperative, it is important that it continues and the more important piece is what to do with the data once it's gathered i.e. enforcement.</p> <p>Shannon wraps up by saying the hope from the Commissioner's office is that this won't be the PHAC's only conversation about this issue. The five year action plan comes out next July and the plan for what we do in terms of fair housing will be included in that plan.</p> <p>Amy states off topic that the health industry want to take a serious look at housing and how it affects people with multiple health conditions. As part of the team that collects on these issues is it possible to marry it with health housing and go another avenue and start looking at it as a more holistic issue. Somehow I'd like to work together on making it a bigger picture.</p>	



Agenda Item	Discussion Highlights	Outcomes / Next Steps
<b>ADDED ITEM: PHB Executive Director Search Update</b>	<p>Jesse asks Shannon to update the PHAC on the Executive Director search.</p> <p>Shannon states that Traci has resigned with relatively short notice. The Commissioner is looking to fill this position as soon as possible. The job description is posted and gives a good idea of what we are seeking in a director. One of the key challenges facing the bureau is resource and policy development, with TIF drying we need someone who can find additional resources. The position has been open for 4 weeks and closes on Monday but we will keep it open longer if necessary. There was strategic advertising done locally and nationally. The selection process will include the initial HR screen, a screening panel, and first selection interviews have been scheduled. Depending on the number of candidates there may be a meet and greet for PHB and PHAC members scheduled, but that is yet to be determined. The commissioner will make the final decision and we hope to have that done mid-June with the hiring complete by mid-July.</p>	<p>Selection continues. If PHAC members know of anyone who should apply, please let the Commissioner's office know.</p> <p>If you have thoughts about what we should be looking for in a director, please share those as well.</p>
<b>ADDED ITEM: Mayor's Proposed Budget</b>	<p>Mike ran down the proposed budget released by the mayor's office on Monday. Out of a \$7.1 million ask, we received about \$6 million. The full details for PHB's budget can be found on page 40 of the following link;  <a href="https://www.portlandoregon.gov/cbo/article/529284">https://www.portlandoregon.gov/cbo/article/529284</a></p>	
<b>For the Good of the Order</b>	<p>No further announcements. Jesse adjourned the meeting.</p>	