

Minutes of the Regular Meeting of the Housing Opportunity Fund Advisory Board for the Urban Redevelopment Authority of Pittsburgh. City of Pittsburgh YouTube channel.

October 7, 2021

Members Present: Lena Andrews, Oliver Beasley, Joanna Deming, Theresa Kail-Smith, Mark Masterson, James Myers, Paul Spradley, Sonya Tilghman, Adrienne Walnoha, Kellie Ware (Chair), Megan Winters

Staff Present: Breanna Benjamin, David Geiger, Vethina Hage, Doren Hilmer, Victoria Jackson, Derek Kendall-Morris, Lisa Korade, Shaina Madden, Evan Miller

Others Present: Andrea Bustos, Megan Confer-Hammond, Adam DiBuo, Aaron Erb, Alex Fisher, Magda Gangwar, Christina Howell, James Myers, Ed Nusser, Natalie Ryan, Swain Uber, Kyle Webster

#### **A. Roll Call**

Kellie Ware called the meeting to order. A quorum was present.

#### **B. Review and Acceptance of Minutes from the September 2, 2021, Meeting**

Mark Masterson motioned to approve the minutes of the September 2, 2021, board meeting as written and previously distributed. Adrienne Walnoha seconded. The motion carried.

#### **C. Public Comment**

Aaron Erb, the Executive Director of Just Mediation Pittsburgh, along with colleagues from RentHelpPGH, Neighborhood Legal Services, and Community Justice Project, read from a statement that was sent to the URA and distributed to Advisory Board members. First, Mr. Erb addressed the invoicing delays and spend down projections for the current year. Mr. Erb explained that delayed invoicing and normal hiring procedures have led to somewhat misleadingly low usage rates of the funding allocated for LAP-T services. Additionally, Neighborhood Legal Services had been working to expand its team and have been restructuring and reorienting their housing program to better serve tenants in need. They are on track to spend down their full allocation of LAP-T before the end of the spending year. He stated Just Mediation Pittsburgh is expected to spend down its' portion of LAP-T.

Magda Gangwar, a Resource Navigator with RentHelpPGH, commented that she speaks daily with city residents who are facing eviction and sends many referrals to the Legal Assistance Program (LAP-T). She said RentHelpPGH has hired additional staff and is on track to spend down their portion of funding for coordinated entry, most likely ahead of schedule. Aside from a slight delay in invoicing, the initial invoice reflects three months of coordinated entry, but no spending towards outreach; however, LAP-T outreach is now up and running smoothly and is expected to fully spend down this portion of the allocation as well. Ms. Gangwar reported that the in-person portion of the outreach for the LAP-T program started over three months ago after the program itself came online in mid-May. While mailers have been going out to every Pittsburgh resident tenant facing eviction for whom we have an address, it is this in-person outreach, planned and executed by dedicated staff, that has proven effective in connecting people with services. She stated that RentHelpPGH has seen a significant increase in the referrals to the LAP-T providers; the first full week of dedicated LAP-T outreach yielded 17 tenant referrals for legal assistance and mediation, which is over a twofold increase in referrals, up from an

average of eight per week. Ms. Gangwar stated this program has proved invaluable to people in crisis, not just for a limited legal consultation, but also, it has been a great help for people filing appeals.

Adam DiBuo, a managing attorney at Neighborhood Legal Services, commented on the artificially low filing numbers and the drawn-out eviction process that has slowed down the timeline. Mr. DiBuo stated that there will be a tsunami of a housing crisis ahead because of this artificial timeline. Mr. DiBuo said certain protections, like the local and federal moratoria and the local court order, have been in place since before the LAP-T program began, and these protections have worked. He stated the issue is that the effect of these filings has served to deflate the number of overall proceedings that would have otherwise been filed, and the protections provide only temporary comfort to households that are on the cusp of housing instability. Mr. DiBuo stated it is imperative that we have legal mediation, resource navigation, and legal assistance and support ready for when we inevitably face the looming housing crisis.

Swain Uber, an attorney with Community Justice Project, stated that the current proposed annual allocation plan for 2022 would not allow service providers to meet head-on all the challenges previously discussed in the public comments. Approximately \$1 million was allocated to the LAP-T program in mid-May 2021 for a full calendar year and was scheduled to run until the following year at an average allocation of approximately \$3,000 per day. However, he said, under the current allocation, he believes only between \$200,000 and \$250,000 remains to sustain this program at the same level until the end of December 2021, which is a period of 230 days. If this allocation is held at that amount, the daily funding would drop by nearly \$2,000 to approximately \$800 or \$900 per day, a cut of nearly 70%. He suggested that, in order to continue funding at the same level and maintain services, an allocation of \$600,000 would be necessary. He concluded with saying we sincerely request that the HOF Advisory Board reconsider the current proposal for the allocation to the LAP-T program and continue funding at current levels.

Megan Confer-Hammond, Executive Director of the Fair Housing Partnership (FHP), commented she has three points to make. Ms. Confer-Hammond first made the Advisory Board aware that HUD announced yesterday that they will be issuing a guidance or rule on federally subsidized housing, and the prohibition of evicting tenants in coming months, based on own-to-rent. Additionally, she raised the fact that FHP prevailed last month in federal litigation, regarding the protections of survivors of domestic violence within the Fair Housing Act, which established the survivor had standing to be released from her lease without penalty to flee her unit because she was being stalked by her abuser. Ms. Confer-Hammond is asking for contact and communication about what is occurring with the Fair Housing Committee and what Fair Housing conversation is being had. Ms. Confer-Hammond would like to put forth effort to create a tangible outcome of creating a fair housing impact statement.

Christina Howell, Executive Director of Bloomfield Development Corporation, said she wanted to comment on what she and her co-workers have experienced and witnessed over the past 18 months. Ms. Howell explained 63% of our neighborhood neighbors rent their homes, many of which are longtime renters; we are seeing that the current situation of the pandemic has ramped up evictions, and we know it is projected to get much worse. She said due to RentHelpPGH forming and working with communities in the city, we have been able to train a co-worker to do intake in our neighborhood. Ms. Howell added we are finding that the outreach that RentHelpPGH and others have done has increased the number of people that have come to us. She said it does not seem that there is much funding available for outreach now – when there was it really did work. She asked that the funding in the proposed allocation go from

\$200,000 to \$630,000, so that the program will be able to exist as it has, and hopefully serve more people in a consistent manner.

Kellie Ware read a statement submitted via email by, Dave Breingan, Executive Director of Lawrenceville United. The statement read as follows:

Good morning,

I'm unable to testify this morning but wanted to submit some comments for the consideration of HOF staff, the HOF Advisory Board, and the URA Board in relation to the HOF budget for 2021-2022, on behalf of Lawrenceville United. Lawrenceville United (LU) is an inclusive, resident-driven non-profit dedicated to improving and protecting quality of life for all Lawrenceville residents.

First, I want to emphasize how important HOF is to people in our community. LU has supported dozens of residents to access HOF programs, and these have been absolutely critical to helping our residents access affordable and safe housing, stay in their homes, and address building code violations, accessibility barriers, and other necessary home repairs.

In particular, we have seen high demand for the Homeowner Assistance Program (HAP), and we know that there will continue to be strong need for Housing Stabilization Program (HSP) funds. We also see strong demand for the Legal Assistance Program and we believe the 2022-2023 funding should be increased to \$1M. These funds are critical for addressing a variety of legal matters that our residents face that lead to displacement, from eviction, to habitability issues, to tangled titles and avoiding foreclosure.

Thank you for your consideration and all you do!

Dave Breingan

#### **D. HOF Client Stories**

Presentation by Ed Nusser from City of Bridges CLT

Ed Nusser, Executive Director at City of Bridges Community Land Trust, shared his organization's experience with an HOF-funded project that wrapped up last year. He presented on CLT homeowner security, CBCLT Governance Structure, and the project – an HOF-funded rehabilitation of six scattered sites in Lower and Central Lawrenceville. He also discussed challenges and successes of the project and talked about plans for future work throughout Pittsburgh.

#### **E. Community Conversations**

Presentation by Natalie Ryan from ACTION-Housing presented on the Emergency Rental Assistance Program (ERAP).

Natalie Ryan presented on ERAP, which is a massive partnership between Allegheny County, City of Pittsburgh, ACTION-Housing, Inc., Urban League of Greater Pittsburgh, and YWCA of Greater Pittsburgh. The initial allocation was \$80 million for Allegheny County and the City of Pittsburgh. It will then shift to ERAP 2, which will be another approximately \$50 million. The county has recently requested another \$98 million more to serve all current applicants. The end date for ERAP 1 is September 2022 – ERAP 2

goes until December 2024, pending availability of funding. To date, the program has spent \$41.5 million and served 6,600 households in Allegheny County.

#### **F. Housing Stabilization Program (HSP)**

Breanna Benjamin recommended to increase HSP Contracts by the following:

- I. YWCA by \$180,000.00 to be sourced by HOF 2021.
- II. Chartiers by \$150,000.00 to be sourced by HOF 2021.
- III. Urban League of Greater Pittsburgh by \$303,000.000 to be sourced by HOF 2021

Councilperson Theresa Kail-Smith asked what Chartiers Center is.

Breanna Benjamin answered that Chartiers Center is an organization in Bridgeville that specializes in mental health services. She explained they are an organization we have contracted for 2020 to administer the Housing Stabilization Program (HSP).

Councilperson T. Kail-Smith asked why we are spreading it to the county, why are we not spreading it to another place in Pittsburgh.

B. Benjamin responded because these are the current contractors that transferred over with DHS, and to avoid any breaks in RFPing those services out, we have decided to increase this contract.

T. Kail-Smith said she is not comfortable with not RFPing and not comfortable giving money outside of the City of Pittsburgh.

Adrienne Walnoha commented she believes Chartiers, even though their headquarters are outside the city, serve city residents.

T. Kail-Smith replied just as some of our city places do work in the county.

Kellie Ware asked B. Benjamin for clarity on the allocation.

B. Benjamin responded these are funds for HOF 2021 allocation. The \$633,000 that was allocated for HSP – these are the funds we are sourcing instead of RFPing to avoid any delays.

T. Kail-Smith said her concern is with the city.

Shaina Madden, responding to K. Ware, said these are 2021 dollars that were allocated to HSP but not allocated to providers.

Mark Masterson asked for confirmation that these funds are only being used for city residents.

B. Benjamin replied that is correct.

Joanna Deming asked how this works and how the funds will be distributed.

B. Benjamin answered we have allocated the \$633,000 amongst these three providers. The two providers that have already gone over to DHS have more than enough to administer eviction prevention. She explained these are the three organizations that need more funding to continue the program to assist our city residents.

#### **RECOMMENDATION 34 (2021)**

Sonya Tilghman motioned to increase HSP Contracts by the following:

- I. YWCA by \$180,000.00 to be sourced by HOF 2021.
- II. Chartiers by \$150,000.00 to be sourced by HOF 2021.
- III. Urban League of Greater Pittsburgh by \$303,000.000 to be sourced by HOF 2021

Adrienne Walnoha seconded. The motion carried

#### **G. Housing Stabilization Program**

Breanna Benjamin recommended to reallocate JFCS's remaining funds to the following:

- I. \$34,509.52 to be reallocated to YWCA

M. Masterson said he wants to be careful with the language and asked for confirmation that the funds are being reassigned, rather than reallocated.

B. Benjamin answered correct, and this will be from HOF 2020.

#### **RECOMMENDATION 35 (2021)**

Adrienne Walnoha motioned to approve the recommendation to reallocate JFCS's remaining funds to the following:

- I. \$34,509.52 to be reallocated to YWCA

Sonya Tilghman seconded. The motion carried.

#### **H. Discussion and Final Vote/Recommendation for the 2022 HOF Annual Allocation Plan**

Councilperson T. Kail-Smith said she missed the public comment and asked K. Ware what her suggestion is.

K. Ware summarized the public comment.

Paul Spradley commented he really values the conversation that came up earlier, saying it provided the why behind the thoughts of decreasing those things. He said it would have been nice to have had that prior to our vote, so that is something we can begin to think about for the future. He added that he does not know what that process would look like, if we want to discuss moving those funds up, because that

would ultimately mean we need to pull from somewhere else, and it did not seem like there was a consensus in that space, during our voting process or communication process.

K. Ware suggested opening the Excel spreadsheet live and moving some numbers around. She said it had been discussed that demo dollars could be shifted to the Legal Assistance Program, but there would still be a gap that we would have to pull from somewhere.

M. Masterson stated he thinks that we might be able to shave the rest of that out of the Small Landlord Fund. He also wanted to point out, as the Housing Opportunity Fund, we need to get accounting of the administrative dollars. He thinks there needs to be a conversation about how those funds are spent. He said he feels like he is flying blind as an Advisory Board member because we do not have any accounting of how those funds actually get spent.

Councilperson T. Kail-Smith said she agrees with M. Masterson, that we should have those numbers. She feels uncomfortable voting for things and moving things without a contract and without seeing costs. She said we need more information because we answer to the public.

A. Walnoha made a comment on M. Masterson's statement. She said she is uncomfortable with the fact that we had public comment today that is now inspiring folks to rethink one line item, which is important, but all these line items are important, and each one of them play a critical role in this picture. She said if we are going to reopen a conversation about one of these line items, there was quite a bit of debate as well on the Housing Stabilization Program, there was quite a bit of debate on the Homeowner Assistance Program. She asked how we also balance the program that assists homeowners in making repairs, which is closed because we have so much of a waiting list. She questioned how we take all that information back into an adjustment of this budget and this proposal and do that fairly with just as much information as we got this morning from public commenters.

J. Deming said it does seem like this is new information that was not provided when we were discussing the other items in the staff assessment and is worth considering. She added she also thinks the demonstration dollars give us some flexibility to move some things around.

K. Ware said, while she is not completely comfortable with making changes on the fly, that is an option and something that we may want to consider doing today.

M. Masterson stated he thinks the idea of the demo dollars is that if there is a crisis or there is something that needs to get done, we can use the demo dollars for what we can see coming as this tidal wave hits. He said he would also argue that the Small Landlord Fund is something that is new, and while it can be a valuable program, maybe for right now we have got to shelve something new and try to find something that just got up on its legs this year. He said let's keep a program running that we know is going to be needed, and I think that we can do that with some combination of demo and Small Landlord Fund reallocation.

A. Walnoha commented that the suggestion of benchmarking programs again to discuss if additional dollars are needed, means we are also now talking about figures that were put out related to the Legal Assistance Program, which again, is incredibly important. She said she is not debating whether or not it is important, but we got figures from an additional \$400,000 to an additional \$600,000. So, she said, we are also targeting a number that I'm not sure, is the number, it may be the number, I don't know if we know it is the number.

M. Masterson responded that there is a minimum of \$400,000 needed.

K. Ware questioned if the Advisory Board wants to shave a little bit from each of those two categories to get to that \$400,000 and reassess at a later date.

P. Spradley said since we got new information that helped to shape our thinking, he likes the idea of shaping a little bit and then discussing later.

Councilperson T. Kail-Smith said she is going to trust K. Ware and follow her lead on this.

M. Masterson asked how we proceed if we want to switch these numbers around.

A. Walnoha stated if we are also massaging the admin. line, that is not going to happen today. She suggested that is also a discussion that could potentially put money back into the overall budget. She asked how we are thinking about those two pieces simultaneously: what we are doing today plus this enhanced conversation about the administrative line-item.

M. Masterson asked the Council President if council will approve this in December.

Councilperson T. Kail-Smith answered she believes so, but she will check and verify.

K. Ware said that is her understanding also, but it has to go to the URA Board before it goes to council.

M. Masterson asked if this could go to the URA Board in November.

K. Ware replied yes, it could go to the URA Board in November if we want it to. She said we can have a special session this month and get the recommendations to URA Board in November, but that is a tight deadline.

Vethina Hage asked the Advisory Board, if we were to postpone this by a month, what do you envision happening within that month that would encourage public comment, or what would you like the URA to do to change or alter your opinion on this plan. She asked them what actions they would like to see within that month that will sway their opinions on this plan, in terms of public outreach and timeframe.

J. Deming said she prefers to move on this today if there is enough consensus around moving those demonstration dollars to the Legal pot. She thinks the public commenters were saying, if we added \$400,000, it would equal \$650,000, which would be somewhat level with previous years. She concluded by saying if we are able to move those demo dollars, that would keep funds even, so that would be my motion that we move today.

Sonya Tilghman commented that because demo dollars are flexible, and we can move them later, she would be more comfortable with waiting to see how things unfold. She added that she would hate to eliminate the demo line-item when we do not know what may come up in the future.

J. Deming pointed out we also have past demo dollars that have not been spent.

K. Ware asked how much our past demo dollar carryover is.

V Hage \$600,000

M. Masterson asked J. Deming to explain her ideas about the \$200,000 in the demo budget.

J. Deming suggested moving the \$200,000 and asked what is happening with the Small Landlord Fund.

S. Madden responded the Small Landlord Fund is currently very low on funds. She said we are likely going to have to close it, while at the same time we are seeing an increase in interest from smaller landlords. So, there is the demand, and without the HOF line-item moving forward, the ability to implement this program and reach a higher level of units will be restricted.

J. Deming asked what about other banks and funding; how was it funded in the past.

S. Madden answered it just rolled out in the last year or so and we had a commitment from UPMC and internal URA sources. She said we were able to roll it out and get a sense for the need, and there is a need, but we must find a reoccurring source of funds to support it because right now there is not a long-term strategy. She explained income levels are up to 80% AMI, so typical housing funds at the URA cannot support this.

K. Ware asked if this number is required or if there is some flexibility there.

M. Masterson said maybe we can shift the total \$400,000 (\$200,000 from demo and \$200,000 from SLF) and then look at the demo dollars that we have left for the Small Landlord Fund program at a future meeting.

A. Walnoha said she feels uncomfortable with that. She reminded the Board that these numbers and this discussion went out to the public. She pointed out that we stress the importance of these programs. She stated that she does not know that eliminating funding for one of these programs feels like it is transparent. And, again, we are opening up budget line-items, focused on one goal but not necessarily talking about the impact of each one of these programs.

S. Tilghman suggested moving the \$200,000 from currently allocated for demo for 2022, and should the need arise, looking at additional demo funds for the Small Landlord Fund or any other programs. She said she would be uncomfortable with, after all the discussion, taking roughly half of the Small Landlord Fund away.

### **RECOMMENDATION 36 (2021)**

Sonya Tilghman motioned to reallocate \$200,000 for the Demonstration Program to the LAPT Program. Paul Spradley seconded. Councilperson Theresa Kail-Smith abstained. The motion carried.

#### **I. Advisory Board Administrative Items.**

##### **I. Committee Updates**



K. Ware announced the RFP Committee reported out last working group which was last month. The Fair Housing Committee took a brief hiatus and did not meet last month. She asked if the Communications and Community Outreach Committee met last month.

S. Tilghman replied that they tried to schedule a meeting, but it did not work out.

K. Ware, referring to a discussion about quorum at the beginning of the meeting, read from the bylaws, dated January 7, section one on voting and quorum: voting participation; the expectation for member participation in the Housing Opportunity Fund Board, and the number of board members required for the board to conduct business for 1.1 forum, a majority of board members presents a quorum and must be present either virtually or in person, in order to hold a vote. If there's not a majority present because of abstaining members at a minimum of five voting members must be present to hold a vote. She went on to say that it is for us to decide whether that is total number of seats available or total number of seats held. She suggests that we go by number of seats that are currently held by people.

Councilperson T. Kail-Smith asked if there is some code or law that states how it is to be counted.

K. Ware replied it says a majority of Board members. She explained we do have a vacancy, but we have been counting quorum as though that seat was filled to make nine, because that would be half plus one. She said the alternative is we count it without that person present, which is 15 people who are currently serving on the board. That would be 8, because that would be half of 15 plus one.

J. Deming said with every board she has been on, you have to base it on the seats that are actually filled. She added we don't have any control over whether these seats are filled, and we have to conduct business, so we want the majority of people that are engaged and are presently on the board.

M. Masterson agreed.

K. Ware asked if anybody has an alternative opinion that we should keep it at nine, because somebody will eventually be in that seat.

T. Kail-Smith said, no, because we can amend it later.

K. Ware confirmed the Board is going to operate quorum based on those currently filled seats, and for our purposes now that number will be 8.

## **J. Programmatic Expenditures and Updates**

Andrea Bustos, the Administrator Resource Navigation and Community Support within the DHSs Office of Community Services, provided an update on the transition of the administrative functions for HSP. Six households were referred to HSP through the Urban League in September. 600 calls specific to eviction prevention or rental assistance were received from 366 unduplicated households. Of those, 25 were targeted to be placed on the queue for an HSP referral.

Derek Kendall-Morris presented a slide on the Down Payment and Closing Cost Assistance Program. As of October 1, 2021, the total committed funds \$1,592,169, which is 68% of the total funding allocated for the program. It is important to note that of 237 households served, 117 are first-time homebuyers that were between 51% to 80% AMI.

Derek Kendall-Morris presented a slide on the Homeowner Assistance Program. The total committed is \$9,295,593 which is 88% of the total funding allocated. 317 households have been served to date.

Derek Kendall-Morris presented a slide on the Rental Gap and For-Sale Development programs.

Derek Kendall-Morris presented a slide with a breakdown of expenditures and impacts for all HOF programs for all the allocation plans since 2018.

Derek Kendall-Morris presented a slide with the same breakdown of expenditures and impacts with the units that have been served for each program side by side to provide a sense of what that looks like on the ground, throughout the city.

#### **K. Announcements**

- The next HOF Advisory Board Meeting is Thursday, November 4, 2021, at 9:00 AM.
- Centre Avenue Housing Ribbon Cutting – Friday, October 8, 2021, at 10:00 AM. 2621 Centre Avenue.

#### **L. Adjournment**

Mark Masterson moved to adjourn.