

**TOWN OF ESSEX / CITY OF ESSEX JUNCTION
JOINT HOUSING COMMISSION
Minutes of January 18, 2023**

City Representatives: Katie Ballard, Chair; Ned Daly; Ta-Tanisha Redditta.

Town Representatives: Emily Taylor, Clerk (arrived at 3:21pm); Rupesh Asher; Deb Flannery; Mark Redmond.

Administration and Staff: Kent Johnson, Regina Mahoney, Greg Duggan (Essex, Town Manager).

1. CALL TO ORDER AND AGENDA ADDITIONS / CHANGES

CHAIR called the meeting to order at 3:00 PM. There were no proposed changes to the agenda.

2. APPROVAL OF MINUTES

Daly made a motion, seconded by Flannery, to approve the minutes of January 4, 2023. The motion passed 5-0.

3. PUBLIC TO BE HEARD

Tom Proctor, Housing Justice Organizer, from Rights and Democracy of Vermont joined the meeting for the proposed charter change on Just Cause Evictions.

4. BUSINESS ITEMS

a. Proposed Charter Change: Just Cause Eviction follow up discussion

The Housing Commission (HC) will vote on endorsing the creation of a Just Cause Eviction ordinance at today's meeting. The Selectboard will have a hearing on January 30, 2023. Today's update is to follow up on conversation started around a draft of the ordinance that raised questions about existing eviction data for the Town and City, details of the ordinance, and follow up on how it will be enforced and followed up on.

Duggan states there are no specific numbers held currently around eviction rates. The current language in the draft of the ordinance is to give the Town permission to have an ordinance. Once voters approve that, the group drafting the ordinance will seek feedback on language used and details on how the ordinance will be put in place and enforced will follow.

Ballard offered feedback that some language used in the initial draft viewed by HC commissioners can be viewed as offensive to those who will want to exercise the protections of the ordinance, for example that health issues would be raised in a retaliatory way in response to eviction. Ballard offers feedback that language used in the ordinance should be written with dignity and grace at its center so when diverse populations are reading it, everyone is understanding its purpose equally. Duggan agreed with this feedback and reiterated that there will be time and space for community members to provide input on language used and details of the ordinance. Duggan states the language used in the current draft proposal has been reviewed with legal.

Ballard asked for feedback from the HC. Daly was in favor of more details in the ordinance as it could be confusing if left vague. Redmond also advocated for a balance between using the ordinance to help residents who are being falsely evicted and supporting property owners in evicting households who are negatively impacting the community. Ballard clarified that any lease

violations, including nonpayment of rent, criminal activity etc., would fall under a for cause eviction and housing providers can still evict; the ordinance would be in place to protect those are being evicted without a just cause reason. Ballard also clarified that today's discussion is just to support an ordinance existing, not providing details or guidance on the ordinance yet until voters approve it. Flannery pointed out the unintended consequence for residents of cause evictions is that they may not allow amicable separation between tenants and housing providers prior to eviction, and that can have long lasting effects on their rental history.

Proctor distinguished between households who are aware they're being evicted and the reasons why who can leave units on their own prior to eviction proceedings, and tenants who are being evicted without cause and can't leave as easily but are evicted anyways. Halfway houses, rehabilitation facilities, and hospitals, among other entities, are excluded from a just cause ordinance. Probationary periods exist for housing providers where they'd have to have a reason for eviction in that time. Essex Town wouldn't have any role in enforcement beyond the Sherriff executing the writ of possession for housing providers, which is the final step in the eviction process. Brattleboro, Burlington, and Winooski are either looking into a just cause eviction ordinance or have one already, so there are and will be many other examples to show municipalities how it works.

Ballard asked if there are existing ordinances the HC could review when supporting the Select Board in approving the Town to have an ordinance. Proctor says many municipalities in the county have them and specified New Jersey and New Hampshire have state wide ordinances and also cited them in larger cities in California, New York City, Washington D.C., and Montreal as well.

Taylor made a motion, seconded by Flannery, to approve Ballard to work with staff to provide a public comment to the Selectboard on January 30, 2023 in support of a Just Cause Eviction ordinance. The motion passed 7-0.

b. Town Plan 2024 Workgroup updates

The workgroup will meet on Thursday January 26 at 3:00p to begin tabulating feedback. Taylor's group was small but had lively conversation and feedback on priorities for Town members, especially focused on recreation and economic development. Flannery supported two feedback sessions and heard similar themes for economic development and curiosity around having more types of housing available in the Town, but not rental housing. Johnson offers that housing was discussed at the session he supported, and heard more support for rental housing but in areas that are already more rural. Ballard concluded that there was definitely overwhelming support for keeping rural communities

c. Draft Community Outreach next steps

Outreach for the Housing Trust Fund this spring will be necessary. At the next Commission meeting, the HTF will be discussed in detail. Ballard is working on a comprehensive information sheet on the HTF for the Commission to review ahead of time.

Another topic the Commission wants to explore is hosting community conversations about the populations represented in our communities. Education about diverse populations and encouragement to engage that variety of community members we have is a priority.

Ballard would want to host three community outreach sessions; one in the City, one in the Town, and one in a shared location. Format could include breaking out into smaller, facilitated groups

for discussion. Johnson offered that drop in groups can be popular as well so people can come in for five minutes or longer if they choose, get some information, provide feedback, and be able to converse without having the time or formal commitment to a larger conversation.

The Commission will revisit this at the next meeting with ideas for spaces that can be used and to discuss more details around planning sessions.

d. Commissioner Comments

Daly was curious about updates from the legislature on housing topics.

5. Reading File

There was no discussion on the reading file.

6. Adjourn

Ballard adjourned the meeting at 4:24p.

Minutes prepared and submitted by Emily Taylor, Clerk.