

Tenant Relocation Assistance Stakeholder Meeting Summary of Stakeholder Feedback 1/21/2016

On January 21, 2016 Neighborhood Housing and Community Development facilitated a stakeholder meeting for stakeholders to provide input about potential tenant relocation assistance strategies. Meeting attendees included representatives from:

- Austin Apartment Association
- Austin Area Black Contractors Association
- Austin Board of Realtors (ABOR)
- Austin Energy
- Austin Independent School District (AISD)
- Austin Tenants Council (ATC)
- City of Austin Code Department
- City of Austin Development Services Department
- City of Austin Health and Human Services Department
- City of Austin Neighborhood Housing & Community Development Department
- Community Development Commission
- Housing Authority of the City of Austin (HACA)
- HousingWorks Austin
- Land Development Code Advisory Group (CAG)
- Real Estate Council of Austin (RECA)
- Texas Rio Grande Legal Aid
- Washington Housing Consulting

Topic: *Demolition Permits and Development Regulations*

- Demolition permit application lacks information about occupancy – doesn't track if a demolition would cause displacements.
- Look to tree mitigation process for framework: clear rules and regulations that have to be followed to obtain permits/notice to proceed
- For emergency relocations (such as caused by flooding events), the City does not have a master list of properties affected, only those households that have contacted the City.
- Advanced notice of planned demolitions would be helpful for city agencies/advocates.
- Notice to tenants is insufficient. 30 days is not long enough to find proper housing for many families.
- If a project is more than 50 units, AISD is notified and prepares an educational impact statement for the project at site plan review stage. However, site plan review can take place years before a property is demolished.

- Current regulation stipulates that approval of a site plan is required if it complies with the Land Development Code.
- If a project does not go to commissions, AISD isn't notified.
- No capture of information on a broader scale, except when it goes through a historic preservation review process.
- Currently only historic designation blocks demolition; could occupation of property be used to hold or block demolition if certain conditions are not met?
 - If there are violations of relocation requirements, it would trigger other things immediately. What if a mechanism existed where, unless the developers are complying with new standards, the city will refuse to issue additional permits to them?
- Could insert Affordability Impact Statement into project file at time demolition permit applied for as well
- Could a fee structure be created around demo permits where an occupied building would result in higher fees than an unoccupied one? How to ensure this doesn't incentivize applicants to end leases/forgo maintenance in an effort to reduce occupancy quickly?
- Building and Standards Commission fees should be higher, and this money could be used to relocate tenants who are being displaced
- Utilize the framework created for lead abatement or asbestos removal: certain mitigation steps must be done before future permits granted/Notice to Proceed given
 - Requires working with Code Department, especially when work might not require complete evacuation of a property
- Between approval of site plan and application for demolition permit, there is not a clear opportunity to insert tenant relocation assistance requirements. But is the time of demolition permit application too late (while site plan approval is too early)?

Topic: *Expenses of Moving, Costs of Applications and Deposits*

- Permanent displacement and temporary relocation are different.
- Any requirements placed on a property owner should not disincentivize that owner from pursuing serious renovation when it's necessary.
- Focus on the permanent displacement of the families.
- Austin Energy currently waives the start-up fees. If the customer has an outstanding balance, they will make reasonable arrangements with that customer.
 - This applies to any permanent displacement. Advanced notice to Austin Energy is important so they let their call center know so that they are aware about upcoming displacements. No formal notification process exists.
 - Some displaced tenants go from multi-family to single family. People get housing wherever they can afford it, and they do not have to pay for the changes under this specific circumstance.
- Tenants are asking for and need a moving stipend.

- When the notice of the demolition is given out, a freeze on the rate of rent would be helpful, if that's possible.
- Security deposit should be given back immediately, or at least expediently.
 - From a cleaning standpoint it makes sense, but if there is an outstanding balance – utilities consumed, that's the only caveat in that circumstance.
 - There are state statutes regarding when a security deposit must be returned.
- In some cases the city has already negotiated stipend funding with the developer, but the tenants don't know about it (happened at Shoreline).
- We need more available education on these topics so people know what their rights are. We need triggers to kick in so things start quickly, and tenants are set up with people who will advocate for them. Overriding state statutes makes it more complicated.
- Stipends do not override state statutes.
- Some landlords will look back in their books, find all the late fees from years back, and then chip away at the security deposit. Landlords should get what they're owed, but there should be a reasonable look back period.
- With Housing Homeless Veterans initiative, landlords have agreed to new standards, like waiving application fees and reducing look back periods for criminal history, late payments.
- In some cases, there are risk mitigation funds to help incentivize landlords/property owners to house people with poor/no credit or other characteristics (Mayor's initiative for ending veteran homelessness, for instance).
 - Portland has a risk mitigation pool where the City acts as a 3rd party insurer to deal with tenants looking for housing who have poor/no credit.
- Austin Code does not have direct processes in place to aid these situations, to levy additional fees on the developer or property manager.
- How will a compensation fund be created? Why can't we require that the landlords step up on this and put forth the money, like we do with trees and sidewalks?
- Austin Apartment Association could recommend that its apartment partners consider alternative screening criteria (shorter lookback periods, etc.) for tenants who have been displaced, as was done with the homeless veterans initiative.

Topic: *Relocation Assistance*

- Third-party assistance: a realtor or someone well-versed in the renter's market should be charged with finding people housing. They should be incentivized; it should be their only focus. With Shoreline, this worked. Relocation assistance should not be housed within the City.
 - The City could pay for relocation assistance through higher fees on permits, etc., or developers/property owners could pay for the assistance and factor the cost into their cost of development.
- The City should negotiate a stipend with the developer/property owner and should then ensure the agreement is enforced. Information on any settlements negotiated should be shared with tenants.

- There should be a standard template for negotiation between the City and a developer/property owner
- How would the City budget the money needed for relocation assistance for displaced tenants when the need (numbers of people displaced and their circumstances) is hard to estimate from year to year?
- Landlords/developers should be responsible for all or a portion of the cost of stipends and relocation costs.
- Is income verification necessary? Federal Emergency Management Agency (FEMA) doesn't verify income, they look at other criteria.
 - Should income eligibility be required for moving stipends, or should every tenant receive the same amount?
- Some developers are open to a stipend being necessary. Many developers are open to notice requirements; they are open to working with deposit refunds and stipends. They think that a third party should be finding the new location. Since the city makes money on property taxes, the city should also put forth some of the money.
- No single party should be able to back out; every player has to be in agreement. We have to be working all together in the interest of whoever we're serving.
- Information packets should be distributed to tenants with the notice to vacate
- One stop shop for help navigating the relocation process – where would this be housed in the City?
 - Case managers across departments need a formalized process for providing help to tenants who have been displaced
- Could there be a requirement in the City's Rental Housing Developer Assistance guidelines that properties need to give priority to displaced tenants?

Topic: *School Displacement*

- Current policy is that the family can keep sending the student to the same school for the duration of the year, but the transportation is affected. The child won't be served if they are in a totally different area and can't be bussed, even though they can still attend the same school.
- Students are leaving the school district and moving outside of Austin's boundaries.
- AISD has a new policy that enables any student who lives outside AISD's jurisdiction to enroll tuition free – but AISD cannot pick up students outside the school district.
- Some sort of van pool provided by non-profits could help.
- There are students, particularly in the Rundberg area, who will change elementary schools multiple times in one year.
- Demolition is also affecting affordability. Two and three bedroom units are demolished and replaced them with totally different units. The number of three bedroom units that are available are nil, almost completely gone.
- AISD is working on building a searchable tool for families to find their catchment area for specific schools.

Topic: *Monitoring*

- There has to be thorough monitoring. Responsibility for monitoring/enforcement should not fall on the tenants.
 - Code Department could check properties/enforce compliance. This would require flagging occupied properties to be demolished at the beginning of the process. May involve assigning a specific Code Enforcement officer to each property
 - Other entities who are responsible for monitoring properties include Texas Department of Housing and Community Affairs (TDHCA) (for properties receiving low income housing tax credits), HACA for properties with voucher holders, Southwest Housing Compliance Corporation for federally subsidized properties administered by HACA
- Maybe the deals should be delayed if a property does not meet specific tenant relocation standards. It would be good to require these efforts as a cost of doing business.
- Once the development is constructed, it's too late to assure that certain requirements tied to relocation are met.