

**CHAPA  
COVID-19 Affordable Housing Response Meeting  
Thursday, August 6th, 2020 at 2:00-3:00 p.m.**

For the most updated information on affordable housing and the COVID-19 crisis, visit:  
<https://www.chapa.org/housing-news/covid-19-affordable-housing-updates>

**Notes**

**Welcome**

*Rachel Heller , CEO, CHAPA*

Heller welcomed everyone to our COVID-19 Affordable Housing Response Calls and summarized today's updates. CHAPA will continue to offer these calls with the next one to be held after Labor Day.

**Private Developer Support for Tenants**

*Larry Curtis, President and Managing Partner, Winn Development*

*Dara Kovel, Chief Executive Officer, Beacon Communities*

Curtis and Kovel described the responses of private multifamily owners to the pandemic focusing on policies that preserve tenancies. Curtis opened the discussion noting that the virus-driven recession has impacted all development portfolios but the most significant disruption is at the resident level. Many tenants in Winn properties are employed in the service industries which have been severely impacted by the virus. Winn has a multi-pronged approach to encourage tenants to remain housed and make rent payments thus stabilizing properties. Winn was the first multifamily owner to voluntarily halt evictions through calendar 2020. Winn encourages those who have lost incomes to enter into a payment plan and has introduced systems to help tenants with applications for rental assistance, particularly where language barriers exist. They have created online platforms connecting tenants to social services to which they may be entitled.

While the COVID crisis has put great stress on all aspects of the operations, Curtis credits Winn staff and residents for rising to the challenge to work collaboratively to assure tenant and property stability. Winn and most multifamily owners are encouraging advocacy at local, state and federal levels to provide unemployment insurance and rental assistance.

Curtis credited owners and developers who are trying to do the right thing and he hopes that recognition becomes more public. These owners are not only avoiding tenant displacement, but they are creating housing that offers educational opportunities and a sense of community. He sees an opportunity for the industry to emerge from the pandemic in a more cohesive fashion.

Kovel echoed Curtis' comments and credited the entire Beacon staff who are zealously working to ensure residents remain stably housed. Beacon, similarly to Winn, has adopted an anti-eviction strategy.

Kovel chronicled Beacon's agile approach to its operations from the beginning of pandemic. The early months were focused on implementing best practices and protocols to keep people safe, including cleaning and sanitizing as well as direct phone calls to residents to assure their basic needs were met. Now, in an ongoing pandemic-operations phase, Beacon has redesigned property management to address maintenance backlogs. They have developed an "8 minute" protocol in which maintenance staff enters units to check all life safety issues. They have opened some outdoor amenities including roof decks, gardens and dog parks. In the area of resident services, they have launched a trial with telehealth in which staff can check in with seniors and review medications needs.

Both Beacon and Winn continue to monitor rent collection which has thus far remained stable. While concerns mount that the termination of unemployment insurance is likely impact revenues, Beacon and Winn will remain actively engaged with residents as they work to insure tenant and property stability.

Heller recognized Beacon and Winn as exemplary owners who have developed operations that effectively avoid tenant displacement while continuing to expand housing production. Kovel pointed out that Beacon has active development in thirteen states. Many owners, advocates and policymakers see affordable housing production as a viable path out of the economic downturn. Also noted was the addition of \$20 million in state Low Income Housing Tax Credits in the Senate version of the Economic Development bill.

### **Fair Housing in a Post-AFFH Rule World**

*Will Onuoha, Mayor's Office of Fair Housing & Equity*

Onuoha reviewed the policies and goals of the Boston Mayor's Office of Fair Housing & Equity (Mayor's Office). Noted Onuoha, even before the latest round of vitriol from the federal administration, Boston was and continues to be fully committed to following the [AFHH Rule](#) put forth during the Obama administration to address fair housing discrimination on a systemic level. Onuoha indicated that the recent Suffolk University study "[Qualified Renters Need Not Apply: Race and Voucher Discrimination in the Metro Boston Rental Housing Market](#)" produced significant evidence of systemic discrimination. The Mayor's Office will be following up on the study. They will be using their own random testers throughout the year and will be increasing enforcement of those found in violation. Information on violators will be shared broadly with the Attorney General's Office, the Lawyers for Civil Rights, and pursuant to a new partnership, with the Greater Boston Real Estate Board.

Additionally, the Mayor's Office has secured grant funding to further its important research and outreach, including their analysis of impediments and telling an accurate story of the history of land use laws in Massachusetts. Onuoha confirmed that current research points to landlords using the pandemic to engage in discriminatory practices. The Boston Fair Housing Commission will be producing an annual report calling out all who are found to have engaged in discriminatory practices during the pandemic.

Onuoha noted that the Mayor's Office welcomes collaborations with community groups and stakeholders.

### **Emergency Rental and Mortgage Assistance Updates**

*Katie Bosse, Massachusetts Housing Partnership*

Bosse reported on the many successes in establishing local Emergency Rental Assistance (ERA) programs throughout Massachusetts. The ERA programs, created by cities and towns depending upon community needs, offer emergency rental assistance to qualified renters. Bosse indicated that as of August 5<sup>th</sup>, over \$30 million has been committed by 83 communities as indicated on the [ERA infographic](#) which highlights information on the existing programs. For further information please visit the Massachusetts Housing Partnership Toolbox at their [Emergency Rental Assistance Program Database](#). CHAPA, MHP and DHCD will be offering a webinar on September 15<sup>th</sup> which will review best practices/lessons learned from the existing programs. Registration information is available [here](#).

### **Eviction Moratorium Lawsuit Update**

*Carol Marine, Senior Program Manager, CHAPA*

Marine reported on the two court challenges to the eviction moratorium legislation: *Matorin v. Commonwealth* which was filed in superior court and *Baptiste v. Commonwealth* which was filed in US district Court in Boston. The moratorium was passed by the legislature in April under its emergency powers. Originally set to expire August 18<sup>th</sup>, the moratorium was recently extended by Gov. Baker until October 17<sup>th</sup>.

Over 300 people live streamed Superior Court Judge Paul Wilson's hearing on whether to grant an injunction to stay the moratorium. The suit was brought by two landlords who seek an end to the ban, claiming infringement of their right to access to the courts, a violation of separation of powers, and a taking of property.

CHAPA/MACDC/Massachusetts Public Health Association (MPHA) submitted an [amicus brief](#) focusing on housing instability, particularly the rise in evictions leading to increased homelessness and overcrowded housing conditions, both of which have been shown to be leading causes of increased viral spread. And as has been documented, the increase in evictions will disproportionately impact black and brown households. The brief also demonstrated that over \$70 million in tenancy stabilization funds has been made available through Rental Assistance for Families in Transition (RAFT), Emergency Mortgage and Rental Assistance (ERMA) and local Emergency Rental Assistance Programs (ERAs).

Marine indicated that a decision in Superior Court was imminent but the proceeding in United States District Court will be holding various hearings throughout August.

### **Federal Updates**

*Ryan Dominguez, Senior Policy Analyst, CHAPA*

Dominguez updated callers on the status of negotiations about the next package of relief from the federal government. The Senate's Heals Act is a \$1 trillion package which includes \$2.2 billion for Section 8 vouchers and \$1 billion for public housing but no

extension for the eviction moratorium, no funding for rental assistance and no adjustments to the Low Income Housing Tax Credit regulations. However, Rodriguez indicated that the Heals Act does include flexibility for the uses of CARES funding including pushing out the deadline for using funds until July 31, 2021.

Dominguez indicated that the New England delegation will continue to advocate for housing relief despite the unlikely inclusion of such relief in the next federal stimulus package.

### **State Updates**

*Eric Shupin, Director of Policy, CHAPA*

Opening on a positive note, Shupin noted that the Massachusetts legislature had extended its formal session insuring that there will be adequate time to reconcile differences in the Economic Development bill which is now in the Conference Committee. Shupin gave a shout out to Larry Field for his hard work in bringing the bill to fruition. Both versions include Housing Choice and other provisions that are favorable to the affordable housing and community development policy priorities. A detailed comparison of the housing provisions in each of the House and Senate versions of the Economic Development bill is available at: <https://www.chapa.org/housing-news/comparison-of-housing-provisions-in-house-senate-versions-of-economic-development-bill>.

**Next Meeting: TBD**