

ALEXANDRIA HUMAN RIGHTS COMMISSION  
MINUTES OF THE MEETING OF TUESDAY, OCTOBER 18, 2022  
7:00 p.m., City Hall  
301 King Street, Room 2000  
The Chet and Sabra Avery Room

Members Present

Lisl Brunner, Chair  
Michelle Cho  
Katherine O'Connell  
Elisabeth "PJ" Palmer Johnson  
William Tom Reeder, Jr.  
David Rigsby, Vice Chair  
Scott Schwartz, Vice Chair  
Jon Thompson

Staff Present

Jean Kelleher, Director  
Miladis Martinez Gutierrez, Adm. Support

Members Excused

Danielle Beach  
Justin Beland  
Marc Bendick, Jr.  
Matt Harris  
Susan Kellom

Guest speaker

Mary Horner, Attorney, LSNV  
Melodie Seau, Division Chief, Landlord-Tenant Relations, Office of Housing  
Ingris Moran, Lead Organizer, Tenants & Workers United  
Natalie Talis, Population Health Manager, Alexandria Health Department

**1. Call to Order/Introductions by Chair Brunner**

Vice Chair Rigsby on behalf of Chair Brunner called the meeting to order at 7:04 p.m. Introductions were made. Chair Brunner welcomed new Commissioner Jon Thompson. Commissioner Thompson stated that he is an attorney at Covington & Burling, which is a law firm in DC, and would like to get more involved in the community. He also said that he is doing a program through his law firm and is working for Neighborhood Legal Services.

**2. Housing Discrimination Panel**

Chair Brunner welcomed guest speakers, Mary Horner, Attorney, LSNV; Melodie Seau, Division Chief, Landlord-Tenant Relations, Office of Housing; Ingris Moran, Lead Organizer, Tenants & Workers United; and Natalie Talis, Population Health Manager, Alexandria Health Department. Chair Brunner stated that the Commission has spoken to different organizations and some members of City Council and all of them have raised the issue of Housing as one of the top issues to be look into, she explained that the function of the Human Rights Office is to investigate discrimination complaints on the basis of protected categories, such as: race, color, sex, religion, ancestry, national origin, marital status, familial status, age, sexual orientation, gender identity, transgender status, and disability.

Mary Horner talked about the method in which she sees discrimination in her job. She states that individuals that come to her as a part of legal issue that they have and sometimes the legal issue is the discrimination, but often time it is packaged as discrimination, because they are being evicted for non-payment of rent.

Ms. Horner stated that some of the things that she hears all the time is preferential or differential treatment among tenants and said that certain tenants are treated in a certain way, but others are not. She mentioned that lately they have seen that certain units may or may not be available for some people but are available to others. Even if the person has signed a lease for a specific unit and when they arrive, they are told that, that unit is not available, but will show them another unit, which ends up being less desirable. When someone asks why, they are told that, this is a refugee unit, as if it is somehow is designated as a lesser unit for a particular class.

Ms. Horner added that she also sees additional fees being charged, which are not authorized, specially if the tenant is undocumented and is afraid to enforce their rights. Individuals being denied housing because of their source of income, obviously that is not a protected class, but a lot of landlords did not get the message that they are now required to accept vouchers.

She reported that there are also issues with reasonable accommodations and modifications. Landlords are denying reasonable accommodations without even listening or providing information on how to submit it in writing. It could be that landlords are denying reasonable accommodation requests, because of the lack of training.

#### Melodie Seau

Ms. Seau stated that a lot of people that come to their office have had problems, but are not related to protected classes, things about their credit. She also talked about the Fair Housing Testing program and said that they have been conducting testing since 1999, and it is conducted every year on protected classes. She also added that they bring the report to the Human Rights Executive Committee before they take it to Council. She said that one of the issues that they see rapidly is reasonable accommodations and said that her staff and her have been writing many reasonable accommodation requests, because landlords imposed different forms on the tenants, which is not legal for them to do.

She also mentioned the issue of services animal being treated as pets. She also mentioned fees that are not authorized, and said that Landlords are adding fees, and is not necessarily housing discrimination, but they are adding fees for all kinds of things, which they can do under Virginia Law. Ms. Seau stated that the most recent test was done for housing choice voucher in 2021 and found six landlords that did not know that they have to rent to voucher holders.

Ms. Seau explained the process of housing voucher and said that one of the issues with the voucher is that when a tenant moves in, they can only pay 40% of their income, and after that first year the landlord can raise the rent to whatever they think the market will bear. The other issue with voucher is that they have to go through the Alexandria Redevelopment Housing Authority, and they have to wait for an inspection, which it can take months. They wait for the paperwork, sometimes landlords do not get pay for three to six months while it is in the queue. People do not like to work with a program like that, because it is not dependable, and they have to go through this bureaucracy. The fact that there is a source of income protection is extremely helpful, so now landlords are going to have to wait; they have to deal with the bureaucracy that goes with ARHA.

Ingris Moran stated that their organization empower the working-class families of color that live in Alexandria and stated that housing has always been an issue for our communities. She stated that one of the things that they have seen historically, even though they might not fall under discrimination, they

have seen injustices. For example, a landlord will not allow renewals and will not give a reason to the tenant, it could have been because of late payments or that they decided to organize a Tenant and Workers United community meeting and they are being retaliated. Many times, tenants receive a lot of hidden fees, there is not very much transparency.

Ms. Moran also mentioned the issue of maintenance requests and lack of repairs services, specifically in the undocumented immigrant community. She said that there are certain landlords that they can spot, who are treating tenants with higher incomes differently than families that are living in the Westend and the Arlandria area.

Natalie Talis stated that from the Health Department site they are coming from a different perspective than the other organization, because what they are seeing are things more on the kind of the conditions that people are living in, and some of the challenges in terms of how to get results on those issue. She stated that they also think about things kind of systematically, for example thinking about how the system got set up on the first place, so that there are more options for accessible housing or for housing that is better suited for adult aging in place or people with disabilities.

She said that they have encountered a lot of older adults who now have mobility issues or other challenges, but there is nowhere for them to move to that is affordable out there at the same price point; so they are stock in a space that is not conducive towards their physical or mental health, because they just do not have anywhere else to go, sometimes they feel that they are trap in their home space, because they don't have any other option.

She also talked about people who have chronic respiratory issues and are living in the same building with people who are smoking, or are living in a unit that has mold, and how there is no legislative authority to address those issues. She stated that there are no legal requirements about being smoke-free in some of those properties. She said that the Health Department has received a lot of complaints about complex not being smoke-free, and people do not have a lot of options on addressing this issue. She added that from the Health Department perspective they are looking at the way of helping people who have respiratory conditions like asthma to see what is going on in their homes that is causing those issues and making referral to their partners as needed for those sources of services. She added that what they saw in their pilot study initially is that there is a lot of older adults experiencing a lot of housing conditions that are not being resolved or people do not know how to resolve them as well as feeling that they are trapped where they are, because there is nowhere else that they can go.

Commissioner Schwartz asked if the need for non-smoking apartment be considered a reasonable accommodation? Ms. Seau stated that it would not be a reasonable accommodation, because if it is a fundamental change to the property or to the way of doing business or create some kind of an administrative of financial burden it cannot be required. The landlord cannot be asked to imposed non-smoking rules.

Commissioner O'Connell asked Ms. Moran about the retaliation against the tenants who are organizing with Tenants & Workers United and how does it look like. Ms. Moran stated that in 2020 they started doing a lot services and looking to see what were the needs of the community during the pandemic and started organizing inviting landlords to meet with the community and a lot of families started doing maintenance request the landlords knew the participants and the leasing offices started coming to the

tenants apartments to check out what the maintenance problem were, but in reality it was more like an inspection what was wrong with the apartment and if they found things in their balcony they will get fees, so that is a sense of retaliation.

Director Kelleher stated that if the Commission decides to do outreach to underserve communities the Commission needs to be careful on how they do that, and asked how those meetings can be organized. Mary Horner stated that the way to reach people where they are is finding where there is group meeting already happening and said that CASA has a parent group, something like that where people are already there for a particular purpose.

Ms. Horner stated that they have submitted policy recommendations to Sarah Taylor from the Housing perspective; more authority for localities to enforce code enforcement, but also, we need to have better tenant protections and more affordable housing. Ms. Talis stated that they have a solid green building policy in Alexandria, but mostly it applies to commercial spaces, but very few items that apply to residential spaces and having the strongest possible requirements for how safe and healthy spaces are when they are build. How to incentivize more universal, design like the waypoint that just open at the new space that is affordable housing and all of the units are accessible universal design.

Ms. Moran stated that advocacy at the State level is the best way and also said that rent control will be ideal and said that at the local level, maybe the commission or the office can conduct investigations of the injustices and how the working class and communities of color are living in; particularly in Arlandria and the Westend, where landlords can be hold accountable that treating tenants poorly. She added that engagement is always key with the community; going to them directly letting them know who the Commission is and what is the intend out of engaging with the community.

Ms. Seau stated that she has been fighting the ratio utility billing system (RUBS) since 2010. She added that they have been lobbying the State for mandatory affordable housing requirement. Ms. Moran stated that at the local level their push as an organization is how they ensure deeply committee affordable housing, specifically for families that are not at 40% AMI and how to encourage also the City to include more resources, more money for affordable housing. Housing vouchers are limited for families that are documented and lot of the families that the organization works with are undocumented. How do we encourage City Council to implement more funding and resources into its budget to create affordable housing.

Chair Brunner thanked Mary Horner, Melodie Seau, Ingris Moran, and Natalie Talis for their presentation.

### **3. Approval of Minutes of July Retreat and September Meeting**

Upon a motion by Commissioner O'Connell, seconded by Vice Chair Rigsby the Commission approved the minutes of the July retreat and the September meeting. All Commissioners present voted aye.

### **4. Presentation on Office of Human Rights & Commission Roles and Responsibilities**

Director Kelleher gave a brief presentation about the function of the Office of Human Rights and stated that the Office enforces the Alexandria Human Rights Code and the Federal law. Director Kelleher explained the complaint and investigation process and also talked about the protected classes and bases under discrimination.

## 5. Old & New Business

### Task Force on Rainbow Crosswalks

Vice Chair Schwartz stated that he had drafted some bullet points summarizing the basic argument that the Commission has against what the City Attorney had objected to the rainbow crosswalk and said that the Commission will set up meetings with individual City Council members to talk about it.

## 6. Liaison Reports

Commissioner Palmer Johnson reported that the Commission for Women met on October 11 prior to their regular meeting with the three sub committees: reproductive rights, affordable housing & transportation, domestic abuse, and human trafficking to write a one-page summary for City Council about each of the committees. She stated that individual commissioners were assigned to individual members of City Council to contact them to develop a one-on-one relationship.

Commissioner O'Connell reported that the Landlord and Tenant Relations Board did not have a quorum this month but said that in the prior month the submitted their recommendations to City Council asking them to recommend Landlords and Buildings to hold tenant meetings, so that tenants have a place and like a forum to get together and discuss what is going on in their individual committees. She added that they also approved the plan to rebuild the current Madden housing project, this project will create more affordable housing, including units up to 35% AMI.

Commissioner Reeder reported that the Commission on Aging's guest speaker was Sarah Taylor and stated that the Commission talked about the legislative priorities and added that they adopted the Northern Virginia Aging Network (NVAN) legislative priorities. He reported that they also change the wording on their mission statement to take out the word "elderly", because people find it offensive, and it was replaced with older adults.

## 7. Announcements /Adjournment

**MOTION:** adjourn the meeting.

Palmer Johnson/Schwartz **PASSED** unanimously.

The meeting adjourned at 9:25 p.m.