AFFIRMATIVELY FURTHERING FAIR
HOUSING TASK FORCE

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In the matter of:
QUARTERLY MEETING, SEPTEMBER 6, 2016

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Transcript of a task force meeting held at
Piatt Place, 301 Fifth Avenue, Suite 390,
Pittsburgh, Pennsylvania 15222, commencing
at 3:05 o'clock p.m., on Tuesday, September 6,
2016.

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APPEARANCES:

Members of the Task Force:

Carlos Torres
Helen Gerhardt
Sarah Kinter
Rachel Salem
Sean DeYoung
Charles Keenan
Melinda Johnson
Ernest Whitted
Paul O'Hanlon, Esquire
Robert Damewood, Esquire
Rachael Surmick
Derrick Testa
Gale Schwartz
David Dean
Mary Gibson, Esquire
Lyle Wood
Valerie McDonald Roberts
John Tague (via telephone)
Molly Nichols (via telephone)

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P-R-O-C-E-E-D-I-N-G-S

(Discussion off the record.)

MS. GERHARDT: We can begin with basically just introductions. We can -- do you want to start, Carlos?

MR. TORRES: Sure.

MS. GERHARDT: If you could just say a little bit about yourself, your role, and what your organization brings to the table regarding fair housing.

MR. TORRES: Okay. My name is Carlos Torres, and I am the executive director of the Pittsburgh Commission on Human Relations. We are the civil rights enforcement agency for the city, and we take complaints of housing discrimination and investigate those. And the commission, which is my short version of that whole title, is the sponsor of this body.

MR. DeYOUNG: My name is Sean DeYoung. I'm the chief executive officer of the Pittsburgh AIDS Task Force, and we have four HUD programs for people living with HIV and AIDS in our region.
MR. KEENAN: Good afternoon, I'm Chuck Keenan. I work in the Allegheny County Department of Human Services. I think we serve quite a bit of the vulnerable populations in Allegheny County, so we are likely to see discrimination from our client base.

MS. GERHARDT: I'm Helen Gerhardt. I'm a commissioner on the Pittsburgh Commission on Human Relations on the housing committee.

MS. JOHNSON: Good afternoon. My name is Melinda Johnson. I work for the Pennsylvania Housing Finance Agency as a housing and management representative. What our company brings to the table is always affordable and fair housing and much, much more.

MR. WHITTEN: Good afternoon. My name is Ernest Whitted. I'm with the Pittsburgh Housing Development Association, and presently we're conducting -- we have been conducting for the last five years in conjunction with Dollar Bank our first-time home buyer seminars to increase low income
families with the ability to increase their credit score in order to acquire housing, and this is through Dollar Bank, where they will then put -- put the -- the client through a program which will increase their credit score, and probably at the end of the process a loan can be granted.

MS. GERHARDT: Who joined us on the phone?

MR. QUISENBERRY: Hi, this is Kevin Quisenberry.

MS. GERHARDT: Hello, Kevin.

MR. QUISENBERRY: Hi there.

MS. GERHARDT: Kevin, we'll come around to you after everyone's introductions, so welcome.

MR. QUISENBERRY: Thank you.

MS. GERHARDT: Do you want to introduce yourself?

MS. MASCIOTRA: My name is Breen Masciotra, transit oriented development, project manager, for the Port Authority of Allegheny County.

MR. O'HANLON: I'm Paul O'Hanlon. I'm a housing lawyer in the area for the last
37 years, or something ridiculous like that, and I'm proudly here representing the City-County Task Force on Disabilities.

MR. DAMEWOOD: Bob Damewood, I'm a staff attorney with Regional Housing and Legal Services. We're a statewide non-profit community development law firm. We represent community-based organizations and housing development and community development transactions.

I have only been a housing -- a legal aid housing lawyer for 26 years, so Paul's got me beat.

MR. HARVEY: Hi, I'm Peter Harvey. I'm with the Allegheny County Department of Human Services.

MR. TESTA: Derrick Testa, I'm an investigator with the Pennsylvania Human Relations Commission.

MS. SURMICK: Rachael Surmick, with Neighbor Works Western Pennsylvania. We're a HUD housing counseling agency, so we do all those things.

MR. DEAN: I'm David Dean, and I'm the director with the Realtors' Association of
Metropolitan Pittsburgh, representing close
to 5,000 real estate professionals in
Allegheny County.

MS. SCHWARTZ: I'm Gale Schwartz with
the Housing Alliance of Pennsylvania. The
Housing Alliance is a statewide housing
coalition that works to provide policies,
practices, and resources -- a common voice
for policies, practices, and resources to
ensure that safe, decent, affordable,
accessible homes are within reach of all
Pennsylvanians, especially those with low
incomes.

MS. GIBSON: Mary Gibson, I'm the vice
chair of the Allegheny County Human Relations
Commission.

MS. SALEM: Rachel Salem, I'm
secretary to the director of the Pittsburgh
Commission on Human Relations, and I take
minutes and send meeting invites and am a hub
for anyone who needs any information, contact
information for the task force, or for any of
the committees.

MS. KINTER: Sarah Kinter with the
Pittsburgh Commission on Human Relations.
MS. GERHARDT: To those of you who are
on the phone -- John, would you --
John Tague, would you begin with the
introduction?

MR. TAGUE: Do you want --

MS. GERHARDT: I'm just going in the
order that I heard people on the phone.

MR. TAGUE: Okay. I'm John Tague,
Pittsburgh Commission on Human Relations, and
formerly the chair of the housing committee,
and I have a small consulting practice,
J.B. Disability Consulting Services, and
there's a few areas that I'm interested in --
area of expertise in transit oriented
development and the impact on affordable
housing.

MS. GERHARDT: So Kevin Quisenberry?

MR. QUISENBERRY: Yes. So this is
Kevin Quisenberry. I got caught up in a
meeting, so I'm going to participate by phone
until I get here. I work at the Community
Justice Project as an attorney. We also are
part of the Pennsylvania Legal Aid Network.
We're a legal aid program, similar to
Neighborhood Legal Services, which most
people here in Pittsburgh know. We just do
different kinds of cases than they do.

MS. GERHARDET: And who else do we have
on the phone? I'm sorry, I'm not
remembering.

MS. NICHOLS: This is Molly Nichols.

MS. GERHARDET: Hey, Molly. Sorry.

MS. NICHOLS: I'm with Pittsburgers
for Public Transit, and we're concerned about
people who live in affordable housing and
don't have adequate access to public transit,
or people who want to be able to live near
good transit service that can't afford to do
so.

MS. GERHARDET: And I'm also on the
board of Pittsburgers for Public Transit.

So thank you all for being here. We
wanted to briefly review the membership
forms. We're trying to -- for a while, we
were counting membership as people who came
to meetings, and there was a fairly fluid
group, and it was hard to decide what's a
quorum, how do we vote on things, so the
commission developed a form and sent that out
to most of you.
Has everyone here received that form?
 Has anyone not received that form, I should
 say it that way. So I'm noting that
 Breen Masciotra and Melinda Johnson did not
 receive forms, so we'll make sure that we get
 those sent to you.

MR. DEAN: And David Dean.

MS. GERHARDT: And David Dean.

I think --

MR. DAMEWOOD: I don't think --

MS. GERHARDT: I think -- okay, so
this group is organizations, institutions,
agencies that have affirmatively furthering
fair housing as a main part of their mission
in some way, or whose constituents are
directly affected by -- or, one of those
groups that experiences barriers to fair
housing, the protected classes, so we did
have a conversation at one point in which we
decided that it would be -- we would love to
have you at the table, be part of
discussions, but I don't -- unless
affirmatively furthering fair housing is part
of your mission, I don't know that you would
be a voting member. Does that make sense?
We would love to have you, like, at discussions, part of -- helping to -- all of us understand the situation that low income tenants and protected classes face in their barriers to fair housing.

MR. DEAN: Is that directed at me?

MR. O'HANLON: So far.

MS. GERHARDT: Yes.

So just in terms of membership, we -- the basic criteria for membership in this group is that a main part of your mission in some way is to affirmatively further fair housing.

MR. DEAN: Well, then, maybe I haven't made myself completely clear on this committee. I'm also director of the National Association of Realtors, where I sit as the director of the diversity committee. I'm also the director -- I'm also the director of the Global Business Council and Diversity Council of the Realtors' Association of Metropolitan Pittsburgh. I'm also the founder of the Year of Fair Housing, which was in 2011. And I would challenge anyone on this table to have a more stronger commitment
to fair housing than myself.

MS. SCHWARTZ: I would say that the
realtors need to be a voting member.

MS. GERHARDT: The groups that you've
named sound like they do have a very
important part of this discussion. We talked
in the past about a consideration of
criteria. There were -- there was no vote on
that -- what those final criteria would be,
so the -- the membership form, if it could be
sent, and then we consider --

MR. TORRES: She already distributed
it. We brought hard copies.

MS. GERHARDT: Okay.

MR. TORRES: Yes.

MS. GERHARDT: All right. Are there
other thoughts or concerns on this?

MR. KEENAN: Yeah, I mean, I would
agree with Gale. I mean, the realtors are
kind of an important partner for us to have
to make sure that the message gets out, and
they're educated, and they're serving people
appropriately, I think.

MS. SCHWARTZ: I agree. I mean, fair
housing isn't just a tenant issue. I mean,
there is a real challenge to African-American home ownership within the Greater Pittsburgh area, and there's no better ally in that than the realtors.

MS. SURMICK: I agree with both Chuck and Gale on that point, as well.

MR. TORRES: So if I may, really quickly, one of the goals with creating the membership form was for us as a commission to have a complete list of who's either at the table or who should be at the table, because initially we had no idea who we should be talking to, who we should be sending e-mails to, none of that stuff, so this is going to help us to know, okay, these are the folks that we need to be talking to about, so anyone at the table who is missing, I would be more than happy to e-mail you an electronic version of the form so you can get it to those folks so they can be made aware that this group exists, and that they're welcome, and they want their input, their feedback, and all that other good stuff, so, by all means, I know today looks like it's a small group around the table, but the
original group was over 40 people; correct?

MS. GERHARDT: Yes.

MR. TORRES: So clearly there are some
folks who are not with us today, but we
encourage everyone who is willing and able,
and has a passion for housing, and want to
see fair and affordable housing in -- not
only in the city, but throughout the region,
to join this body as they see fit, so that's
the goal of that -- of that form, and it's
fairly simple. We just ask who you are
associated with, and if you're not available,
is there a second person who can take your
place if you are, you know, on vacation or
out of town, in a conference, something of
that nature, so that's -- that's the extent
of it, and that was the main goal of having
that -- that form.

MS. GERHARDT: Hey, Kevin. Can we
squeeze Kevin in?

MS. MASCIOTRA: I got an e-mail from
someone on the phone that they can't hear us,
so try to speak up more.

MR. TORRES: Okay.

MS. GERHARDT: Okay. So we're going
to do a quick review of the steering
committee minutes. So the main missions of
the Affirmatively Furthering Fair Housing
Task Force are to inform on and help assess
impediments to fair housing, both in the city
and county; professional coordination and
collaboration regarding research, data, and
ideas; fair housing assessments to do our due
diligence to obtain public input regarding
fair housing; responding to public
recommendations with information founded on
research; and providing recommendations on
how to obtain feedback from specific
community groups.

Carlos, did you want to talk about
these various subcommittees or --

MR. TORRES: We can talk about them in
the next item on the agenda, yes.

MS. GERHARDT: And for number B, for
collaboration with the Affordable Housing
Task Force, do you want to address that?

MR. TORRES: Sure.

So as many of you know, the city
brought together a group of experts who
will -- about a month and a half, maybe seven
or eight weeks ago -- issued their final report on the affordable housing state for the city, and that -- that task force identifies certain goals or ideas for the major and city council to -- to consider as part of how the city can go about increasing the number of affordable housing units available both to renters and home buyers.

Part of -- and this kind of applies to numbers, letter C on the agenda, as part of those recommendations was an affordable housing trust fund, so on the 21st of this month there's going to be a public hearing of the City-County -- excuse me, City Council Chambers at 5:30 to hear from community members, from advocates, regarding the affordable housing task force recommendation for this trust fund.

The initial recommendation is that the trust fund should have a minimum of $10 million in the bank to achieve this goal. However, there are several suggestions of how to go about securing that type of funding, some of which increase -- a real estate transfer tax increase, and that will fall on
homeowners like myself -- I'm glad I bought before that went into place -- but if nobody's familiar with those recommendations, I will encourage you to -- to look them up, find out what those are, and, if available, I will encourage you to participate in that public hearing on the 21st, because city council and the mayor need to hear from a variety of different people from the communities, so if you have clients, family members, neighbors, whoever it is that will be impacted by this -- by this idea of an affordable housing trust fund, they should go and raise or share their opinion or their concern with the members of the city council who will be present during that day. It's really important that, again, they hear from a variety of different sources.

Yes, sir?

MS. GERHARDT: Bob first.

MR. DAMEWOOD: Where will that be held, and at what time?

MS. GERHARDT: Are we stacking or not?

It was Bob first.

MR. TORRES: I'm sorry. Bob, go
MR. DAMEWOOD: I just wanted to give some background, if that's okay.

MR. TORRES: Absolutely.

MR. DAMEWOOD: Okay. So one of the things that a consultant retained by the city for the Affordable Housing Task Force -- one of the things they found is there is a shortage of approximately 20,000 affordable units in the City of Pittsburgh, so that's 20,000 households who, you know, don't have -- there's no unit available and affordable to them to rent or purchase in the City of Pittsburgh, and because of that, that creates this ripple effect of unaffordability where you've got one-third of the households in the city paying more than they can afford for housing. You've got 25,000 -- or, 23,000 households, excuse me, paying more than half of their income for housing, so this is a huge issue in the City of Pittsburgh.

The $10 million was seen as the bare minimum that the affordable housing trust fund would need in order to even start to close that gap, and, you know, so, of the
various sources -- potential sources of revenue, the -- the task force looked at a lot of various sources.

The only two that the city currently has the legal authority to enact, to implement, and that could come anywhere close to raising $10 million per year were an across the board millage increase, so increasing the real estate taxes for all property owners in the city, so a half percent millage increase, or a realty transfer tax, so a 1 percent realty transfer tax, which -- and the committee chose that, the task force chose that, because it's a tax that's paid once upon, you know, the acquisition of property, it's paid at a time when the people paying the tax have the resources to pay it, right, and they have financing to purchase that property, and assisting first-time home buyers, low income home buyers, is a task force activity, so the -- or, a trust fund activity, so the trust fund, itself, could ameliorate the effect, any potential negative effect, that this realty transfer tax would have on home
purchases, so because of all those things, that's -- that's the revenue source that was -- that was ultimately selected.

So I just wanted to get that out there to, you know, make sure that everyone understands, you know, why those decisions were made, what's the justification for -- for that trust fund.

MR. TORRES: Great. Thank you.

MR. WHITTED: I just needed the time and location of the Affordable Housing Task Force.

MS. GERHARDT: It's actually on the agenda.

MR. WHITTED: It is?

MS. GERHARDT: Everybody that needs a reminder, it's under C, the affordable housing trust fund.

MR. WHITTED: Okay. Thank you.

MR. DEYOUNG: Who would manage the trust fund?

MS. SCHWARTZ: The URA would administer the fund.

MR. DAMEWOOD: Yes, decisions would be made by a governing board that would be
appointed by the mayor and -- you know, nominated by council and appointed by the mayor, based on recommendations by a citizen advisory board that would also be nominated by council and appointed by the mayor, but the funds, themselves, would be administered by the URA.

MR. DeYOUNG: Okay.

MR. TORRES: And when if -- and the original list of potential members for those groups did not include a Affirmatively Furthering Fair Housing person, but now that has been changed and now it does.

MR. DAMEWOOD: Yes.

MR. TORRES: So now that membership will have at least one member who is a --

MR. DAMEWOOD: Fair housing advocate.

MR. TORRES: -- fair housing advocate or expert, if you will, so that's good news.

So, again, please encourage folks to -- to lend their voice to this public hearing, because city council should hear from a variety of different members of the community. Whether they are for or against it, it does not matter, but they should hear
from members of the community.

MR. QUISENBERRY: The one fair
housing -- clear fair housing concern or
issue that I think should be on city
council's plate when they're thinking about
this is location, location, location. If
they're going to create this fund to
subsidize affordable housing development,
it's critical that they think about where
they're going to assist that affordable
housing development.

I think what is clear is and
demonstrable is that affordable housing
within the City of Pittsburgh is largely, if
not exclusively, segregated in the areas of
racially concentrated poverty. It can be
mapped out, it can be assessed, it can be
evaluated. I think the city should put this
special fund, you know, to projects that go
at addressing that problem, and I think that
should be stated to city counsel clearly. I
think that's something this task force should
consider, and consider commenting to city
council about.

MR. TORRES: And I think they need to
hear it more than once, which is the other piece, right, so we have different groups that are advocates, housing advocates, and they're all kind of saying similar things. Maybe it would sink in that, "Hey, you have five different groups telling us the same thing. Maybe we should listen," rather than just one voice going up and saying it. Thank you.

MS. GERHARDT: Kevin, are you putting that forward as a proposal for this group to consider and to perhaps vote on so that we might make some statement?

MR. QUISENBERRY: If this group is capable of doing that, sure.

MS. GERHARDT: In terms of the membership forms that we have received, Carlos, do we have a quorum here?

MR. TORRES: I have to look at Rachel, because she was handling the forms.

MS. KINTER: A quorum is a simple majority; correct?

MR. TORRES: Yes.

MS. KINTER: So how many organizations do we have?
You should continue talking and come back to this.

MR. TORRES: Thank you. No pressure.

MS. GERHARDT: So is there any other discussion on this possibility?

Kevin, could you reframe your proposal, if you were thinking of this as a proposal? I think you were just tossing it out there.

MR. QUISENBERRY: Well, I would propose that city council direct the URA to make the location of sites that would be assisted with this funding one of the top priorities in their decision making process, and the location should be limited to areas that are not in those racially concentrated areas of poverty.

You know, the idea here is we need to develop affordable housing in areas of higher opportunity and areas that are not concentrated by poverty, areas that are not segregated by race, and the affordable housing stock that exists in the city, by and large, or perhaps exclusively, is located in those areas, or adjacent to those areas, and,
so, you know, as part of the obligation of
the city to affirmatively further fair
housing, I think they should take this tool
and ensure that there is a special pot of
money dedicated to creating affordable
housing opportunities that promote fair
housing choice for residents in the city.

MR. TORRES: Go ahead. She's doing
that.

MR. DAMEWOOD: I would like to add a
couple wrinkles to that. I agree,
absolutely, with that, with the sentiment.
You know that, Kevin.

I do need to add a couple wrinkles.
One is that one eligible use of the funds
would be home repairs for existing
homeowners, low income homeowners, and I
don't think we should limit those repairs not
to -- what's -- you know, to areas that are
not racially or ethnically concentrated
areas.

MS. SCHWARTZ: As well as rentals.

MR. DAMEWOOD: Right.

So the other wrinkle I would add to
that is, you know, if you look at someplace
like the lower Hill or East Liberty, right, where there's a lot of market rate development going on where I think anybody would call that an area of opportunity, where there's going to be lots of jobs, really good access to public transportation, under the definition that you just proposed, Kevin, I think those areas would be excluded, and that shouldn't be the case.

MR. QUISENBERRY: See, I don't -- I don't -- I don't agree with that. I think the footprint of the lower Hill development is -- I think it's within the city, the Downtown business core. If you look at the city maps, I mean, it's located Downtown. It is proximate, you know, to -- to the lower Hill neighborhood, you know, but I think that that's a unique situation.

MR. DAMEWOOD: All I'm saying is that we need to be careful, because we should -- my own personal opinion, only speaking for myself, not for my employer or -- and not any of my clients, but we should absolutely advocate for that principle, but we should be careful about the way that it's implemented,
that we should try to avoid, you know, unintended consequences.

MS. SCHWARTZ: I think this is part of why there's a strong community review board and a strong community review process, so that we can really be thoughtful and be sort of case by case, you know, put a little bit of faith in the process that was developed into this legislation, you know, there's community review that is not going to approve 50 affordable units going up on a hill isolated from whatever, but if, you know, there is a neighborhood that we all have a good sense of are we on the precipice of turning that hasn't quite gotten there yet, but we want to get something on the ground before it does turn, that's the right opportunity, we don't want to tie our hands.

MS. KINTER: Chuck was next.

MR. KEENAN: This isn't a very well formed out idea, either, but I think the community development block grant program is required to be used I think in lower-income neighborhoods, so that might be a way to offset some of the things that you guys are
talking about with the trust fund, that we already have a program that's supposed to be working in those communities, and let's make sure that we use those funds in those communities, and that way we can use the trust fund, which is more flexible, kind of someplace to work where the federal money is really not eligible, so I don't know if that's kind of a way we look at a strategy, an overall strategy, about how the city is spending their housing money and what each thing is doing, their effects on, you know, the disparities in incomes across the city.

MR. TORRES: Again, when we were thinking about the hearing, I guess my encouragement is that council gets to hear the different opinions --

MS. GERHARDT: Yes.

MR. TORRES: -- that we just exchanged, right, because it's useful for them to hear what the people working on the ground and their -- and their clients could benefit, or their consumers, could benefit from when this is implemented, so I think all these ideas should be shared at this -- in
this setting so no one, you know, goes
unheard, if you will.

MS. KINTER: And to answer your
question, we do not have a quorum.

MR. DAMEWOOD: Wow.

MS. KINTER: There's a lot of
duplicate people.

MR. TORRES: Which is okay. We can do
something electronically. We can send it
electronically and ask people to either say
yes or no, and we can do it that way, give
people a specific deadline, you know, by
Friday we need to know, and we can
communicate that to the rest of -- you know,
to everyone in the group.

MS. GIBSON: Just for clarification on
this form, we have 33 people who have filled
out forms, not including the forms that were
handed out today for you guys to fill out, so
quorum would then be 17 people, and we have
13 voters.

MS. GERHARDT: So if there's two
people from one organization, there's only
one vote for the organization.

MS. KINTER: Right.
MS. GERHARDT: One vote per organization, so Carlos and I can't be counted. There's three of us from the same organization.

MR. KEENAN: So there's 33 separate organizations?

MS. KINTER: Yes.

MS. GERHARDT: Yes, with more pending.

MR. TORRES: With more pending, yes.

MR. QUISENBERGY: Can I add one thing? If something would come from this task force to city council regarding the affordable housing trust fund, of course it would be fair housing minded, that's the point of this task force. Bob's point, I think, is well taken. It would need to be carefully thought through.

You know, if there are three purposes, each of the purposes should be looked at to think about whether this locational aspect is relevant to that or not. I think I could concede, you know, money for homeowners to repair their own homes. It should not be limited just to wealthier, higher opportunity areas.
I was concerned more with housing development. I was concerned more with using the money to develop new affordable units, and those should be targeted locationally to create better opportunities for lower income renters in Pittsburgh.

MR. TORRES: Okay.

MS. GERHARDT: So I was actually hoping that Paul would talk a little bit about this next point, D.

Bob, do you think you could address the -- just a brief description of -- and maybe Gale, if you could weigh in here together, or others, anybody else?

MR. KEENAN: Oh, I apologize.

MR. TORRES: If you printed it, the agenda changed, sorry, but we have copies.

MR. DeYOUNG: I got it.

MR. DAMEWOOD: I'll give it a shot.

If anyone's interested in this, they should talk to Paul because he's, I think, preparing some comments, but -- so the housing authority is what's called a moving to work agency. Moving to work means it's -- it's regulatory flexibility. It means that --
that housing -- that the Pittsburgh Housing Authority was designated to have flexibility from many HUD regulation, and how they get flexibility is every year they come up with a -- they prepare a moving to work plan, and they submit that to HUD, so they tell HUD how they're going to operate, you know, what -- what rules they're going to operate under, and HUD reviews those rules and usually grants them, you know, usually says -- blesses them.

Well, so, the housing authority has posted its draft moving to work plan that it's going to submit this year, and it's accepting public comments on that plan before it's submitted to HUD.

Paul, I think, could probably go through what some of the concerns are a lot better than I can. You know, I know one of the things that the housing authority does is they get -- the last time I looked at it was two years ago -- but the about $41 million worth of voucher authority. They spend about $30 million of that on vouchers. They spend the other 11 million repositioning their
existing public housing stock, basically
taking it off-line, taking much of it
off-line, redeveloping it in a less dense
mixed income configuration, so reducing the
number of affordable units. The housing
authority would say -- and Dave Weber is on
it -- would say that they're repositioning it
in a way that was stronger, more sustainable,
better living situations, safer for existing
residents, you know, mixed race setting, you
know, that it furthers fair housing agendas.

I think Paul would say they're taking
vital affordable housing off-line that people
need, and they're taking money that could be
used for rental subsidies out of the rental
subsidy pot to do it, but, again, Paul should
address that.

So I think that's one of the concerns,
and then there's some other -- there's some
specific fair housing concerns, so, for
instance, the -- the voucher -- you can use
Section 8 vouchers for home ownership, so
voucher holders can use their voucher to
purchase a home.

The way the housing authority -- well,
the way HUD -- the way the HUD regulations
were is it can be an actual income support,
so it can be treated as family income, as
household income, to -- to support principal,
interest, taxes, and insurance. That way, if
something happens to the household's income
while they're purchasing the house, while
they're paying off their mortgage, their
rental subsidy or their housing subsidy can
adjust to compensate for that. They won't
lose their house or default on their
mortgage.

Also, under the HUD system, households
with disabilities get an extended period of
voucher assistance. The way the housing
authority runs its Section 8 voucher program
is they block grant -- they capitalize it up
front. They convert it into ten years of
assistance at a certain level, and they use
that to buy down the mortgage. What that
does is it doesn't provide any income support
to people who are purchasing the home, and,
you know, I think, whatever, you can debate
whether that's -- that's the way everyone
else buys a house, right, so we can debate
how essential that is, but the other thing is
it deprives -- and the fair housing point is
it deprives people with disabilities what
they're entitled to under normal HUD rules,
which is twice the assistance that people who
don't have disabilities get to purchase a
house, so, you know, so there are fair
housing implications that -- I wish Paul was
here. I'm doing my best to channel him. He
could --

MS. GERHARDT: I don't know if he just
took a quick break. Here's a suggestion, we
table this for now, and that we come back to
it so the people really understand what's at
stake. The public hearing is on Thursday
at -- there's actually two different hearing
times, at 12:00 noon and at 5:30, and Paul is
very willing to work with people, answer
questions, and so on, if you want to prepare
any testimony or comments for those hearings.

So if we could go to the subcommittee
sign up, and, Carlos, do you want to address
this?

MR. TORRES: Sure. So as Helen said
at the beginning of the meeting, this group
was -- was formed to help inform the next analysis of impediments that the city planning department conducts every so often to comply with federal rules, and during the last assessment it was suggested that the commission on human relations, which is our body, convenes this group to help identify how the planning department can improve input from certain members of the community to the analysis of impediment.

What has traditionally happened, according to what I have been told, is there are opportunities for the public to comment, and the public doesn't show.

MS. GERHARDT: Or if they show --

MR. TORRES: The other part of what I have heard is that if the public does show, their comments are not included on the final report that is created and submitted to the federal government, so this group was formed to kind of help bridge that gap on how not only information is provided, but also how information is included in the report.

So the steering committee met about a week and a half ago, and talked about what
are the best strategies to helping form that
process, so a series of subcommittees were
established in the hopes that the rest of the
body will kind of volunteer to help on
specific subcommittees, and then those
subcommittees will come back to the quarterly
meetings and provide updates on what their
progress has been during that time period.

So we have a total of five -- let me
look at my notes before I -- so we have four
subcommittees. The first subcommittee will
deal with race and racially and ethnically
concentrated areas of poverty. The second
subcommittee will deal with disability. The
third committee will deal with gender --
sexual orientation and gender identity. And
the fourth committee with deal with
homelessness and the formally incarcerated.

So the goal is, again, that these
groups, we each work on these topics and come
up with ideas or suggestions on how the
housing authority -- excuse me, the -- the
planning department can work with these
different groups to make sure that, number
one, their input is heard, input is
collected, and included in the final report, and they will do that independently of this body, but when we have quarterly meetings, then they will come back and say, "Okay, the race and ethnicity committee worked on A and B, and our next step is" -- whatever the next step may be, and then we move to the next subcommittee, so the work gets advanced without all of us having to work on everything together, because that's a little overwhelming. So -- yes, sir?

MR. DAMEWOOD: Yeah, so I'm curious, is the only role of the committee to help the city -- the department of city planning with community engagement, or will -- will these committees also be identifying barriers to fair housing choice?

MR. TORRES: Yes, absolutely. So, number one, having to include the members of these different groups to participate, but also identify specific barriers or impediments with those members of those groups to access affordable, fair housing within our jurisdiction, absolutely. Thank you for clarifying that.
MR. DAMEWOOD: Okay. Thank you.

MR. KEENAN: Is there a reason why formerly incarcerated and homeless were chosen when they're not technically protected classes, and families, for instance, aren't on the list?

MS. GERHARDT: So there's actually, I think, both familial status -- and in the groups I believe that we can address some of those issues, but I think that the thought was that formerly incarcerated and homelessness, there's a strong conjunction with issues of with race, racial disparity, and, of course, the commission did a really wonderful report on conditions, housing barriers based by the formerly incarcerated, and there was a very strong connection. Probably Sarah can speak to these a little bit more.

MR. KEENAN: But is the idea to then add those as protected classes, or to just look at the issues that --

MR. TORRES: So one of the things that we realized is that some of the protected classes fall under many different --
different groups, so they're not necessarily being excluded, it was just presumed that, you know, familial status will fall under race and ethnicity, and will fall under poverty, and will fall under probably disability, and will fall under, you know, gender and sexual orientation, so the idea is that we're not trying to exclude groups, but that multiple -- or, that the same group may fall under multiple categories, so each committee will then -- yeah, because each committee will then decide how broad or how narrow their scope of what they're doing will be. So, again, we're not necessarily saying, "Only focus on race and not families," or, "Focus on race, but don't focus on, you know, the elderly," or any other thing like that.

MS. KINTER: I guess I have a comment and a question. I wasn't here when the steering committee put together these different groups, but something that keeps coming up at all of these meetings is the financing of affordable housing, it's Section 2, fair housing, and I was wondering if that would be its own committee or not, or
it may just be part of other committees. And to Chuck's point, I think familial status discrimination is a big issue. We see a lot of difference in treatment. You can even find it on Craigslist, you know, "$50 extra for your kid," or whatever, but I don't know if it's worth having a committee for that, as well, or putting that with another group, but it --

MR. TORRES: And it's definitely not 100 percent inclusive to this group. There's four groups that the steering committee identified, so we're not necessarily saying, "This is it, no more." It's just the initial four that we thought were important, but if there's anything more, than more shall be created.

MR. KEENAN: I'm not objecting to it. I just wanted to understand the rationale.

MR. HARVEY: And just to respond, Chuck, so I think it is -- obviously, they're not protected class in the case of homeless and people who are formerly incarcerated, so I think that the trick with that committee is going to be to make the case of the
intersection of -- so I think, like, the HUD
guidance recently on discrimination by
private landlords against folks who have --
you know, that may be a disparate act, so
that's a clear overlap, and I think --

MR. TORRES: And there's a lot of
disabilities, mental health --

MR. HARVEY: Yeah, and you can make
the populations out of concentrated people
might be becoming homeless, but I think it
is -- it will be, like I say, tricky to put
that into, you know, how does that find its
way into an analysis of impediments that's
supposed to be specifically --

MS. SCHWARTZ: Maybe it just needs to
be sort of broadened, instead of just
formerly incarcerated and homelessness, to
perhaps, you know, non-protected classes, but
still have high barriers to housing.

MR. HARVEY: You know, I just -- I
think --

MS. SCHWARTZ: It's hard to make that
disparate impact argument because they're not
a protected class, so how to design the,
intervention is going to be different.
MR. HARVEY: Right, but I don't know if that's the -- like, that's not a fair -- if the -- if the city and county is going to use impediments to address fair housing barriers, you know, there's all sorts of housing issues, but what are the specific ones that can be addressed using fair housing, but I -- not -- you know, I just go back to my original point, there's a way you can make the argument, I think.

MS. GERHARDT: Gale, are you suggesting that we have a group that would take these -- would make that case, really make those connections very clear, so that it could include -- but I could see where familial status --

MS. SCHWARTZ: Well, familial status is a protected class.

MS. GERHARDT: That's true. I'm sorry.

MS. SCHWARTZ: So familial status, and that leads to both sexual orientation and gender identity, I mean, but there are some things that are not a protected class. Source of income, as of right now, because of
the stay in court, is still not a protected
class. Homelessness, you know, former
housing status, you know, criminal history, I
mean, there are things like that that are not
the protected classes, but, I mean, I think
those of us on the ground who are, you know,
working with folks are seeing that sort of
disparate impact of bubbling up, and because
there isn't the protection of the law, how
are we going to make that argument if -- you
know, because we can strengthen fair housing
locally. I mean, that's why we have sexual
orientation and gender identity as a
protected class now, even though it's not
recognized at the state or federal level, so
I do think that there needs to be some sort
of concerted effort to really look at what is
our local need.

MR. HARVEY: I would like to speak,
but I think you're right, and I think maybe,
you know, let's get -- in this instance,
homelessness or formerly incarcerated, so I
understand our jurisdictions where those have
been -- you know, housing, former housing
status, as a protected class; right? And
there's -- there's the housing authority, at least like the one in New Orleans, they changed their -- to make it that you would not -- your -- your criminal background would not be an impediment, so these are things that we can -- we can make the analysis and recommend that to see actual change.

MS. GERHARDT: I think that's a great idea.

MR. TORRES: And, again, these are committees that the steering committee thought of, but they're not everything we're going to do, so if there's a need for more, let it be more.

MR. HARVEY: Also make -- let's do some of the homework and then kind of see where we are, and maybe this doesn't -- maybe -- maybe the impediments analysis, maybe this is the place for that, but maybe we'll find that it isn't.

MR. KEENAN: I think if you frame a --

MS. GERHARDT: Go ahead.

MR. KEENAN: I'm saying if you frame it kind of like Gale did with, you know, let's look at all the barriers that are out
there, and maybe we can get that -- get that
wired -- you know, we all heard about the
evictions, the problems that's causing
people, Desmond talk, and credit, criminal
history, all of those kinds of things can
really be detriments to people's ability to
get housing, so we should take a nice look at
that.

MR. QUISENBERRY: I think the Fair
Housing Act, the state and the federal and
what the commission does are very broad, and
also very enforceable, and they're to be
aggressively pursued, and, so, if there's an
argument to be made why there should be
another protected class in the city, I think,
you know, this is the guy to make that
argument to, to the commission, to have them,
you know, identify it, study it, declare it,
push for it, you know, to have that added or
included.

MR. TORRES: We welcome it.

MR. QUISENBERRY: Peter's other point
about proving disparity impact with regard to
a criminal history or homelessness, I think
HUD's position in the April guidance that
they gave, what the criminal history was, there's a strong case to be made on the national level already, and I think HUD cited to the data to support that argument, and I think HUD's recommendation was for state and localities to analyze their local data in the same fashion that it's been analyzed in these national looks, so that's something that this committee should recommend to the city, to analyze within the city, to the county, to analyze within the county, the disparate impact on the basis of criminal record, on the basis of other things that we believe clearly have a connection, but could use that localized data to make an argument.

MR. DEAN: You mentioned that -- you're saying that there's four subcommittees, but there's a fifth one on here that is outreach and education, and I didn't know whether that was just one to be considered, or whether that was one that may actually -- because everyone in this room, we all -- we're all huge supporters and believe in fair housing, but the challenge that I have, especially in my industry, is that
I can preach to my committee and they're gung ho, but it's getting the message out, and that's where the real struggle, especially with the particular area of -- of concern that I've been having, which is with support animals, because we've been getting -- we've been getting a lot of blow back from apartments from property managers, it's not only statewide, but it's now nationally, and there's a lack of outreach and there's a lack of education, and that, to me, is -- that is probably the most important, because where we already know what the problems are; it's the people out there who are actively involved in what we are trying to change that will look at us and say that we're trying -- that we're either overstepping, or they don't -- "you don't understand what we deal with on a day-to-day basis," so I just want to make sure that this fifth committee is still -- is still viable.

MR. TORRES:  It is.

MR. DEAN:  Okay.

MR. TORRES:  The only reason, because that -- that one is not attached to a
specific group. It's, like, overall.

MR. DEAN: Okay.

MR. TORRES: All the groups, you know, all the information related to fair housing, to all the different communities, so that one is not attached to race or ethnicity, just overall.

MR. DEAN: Okay.

MR. TORRES: So, yes, you are correct, there's a fifth one, except it's not attached to one of the groups we identified earlier, so thank you for that. So, yes, I do have a sign-in sheet for that one.

So the goal is that -- so we have sign-in sheets, so if you are interested in a particular topic, that you have the opportunity, and, so, what we're going to ask to start with, we are going to ask people to volunteer for just one group to start and see how much work there is involved with that particular topic before you volunteer for another one. We don't want people to be overcommitted and then not be able to, you know, fulfill their obligations with more than one group.
MR. O'HANLON: On this -- this reminds me of another process I was involved in, and what we arrived at was the realization that there are subject matter subcommittees and then there is a function oriented subcommittee, which is the outreach and education, and I think that maybe we want to look at it being populated in a different way where, in other words, if we don't have representatives of each of the subject oriented subcommittees, there's no way that the function can be adequately carried out.

Now, the flip side of it is if you don't have a functioning committee, then it sort of becomes everybody's job and it's nobody's job and it often doesn't get handled, so I like the idea of having a subcommittee responsible, and it's clearly distinct from the others in a certain way, so I just think that maybe we want to give some thought of how we populate that, because if it's all people engaged in outreach, but they're not really involved in the subject, you know, we're probably going to lose stuff, so just as a thought.
MR. TORRES: Thank you. Absolutely. So maybe we as the -- I don't know, I don't know, but it's a good thought.

MS. GERHARDT: And one of my initial thoughts is that this may be -- like, we may begin with more specific subject-based subcommittees and work to develop products, and then the outreach and education committee works to help in engaging those areas, so that -- that's just one possibility.

MR. TORRES: This body gets to decide.

MR. DAMEWOOD: When we have a quorum.

MS. GIBSON: So I think, too, what product are we expecting out of these subcommittees? I think we kind of touched on it, but I still don't have a great idea of what to expect, and that might provide some clarity, too.

MR. TORRES: So one of the things is that -- because the angle is to help inform the AI, correct, the analysis of impediment, so before the committee reaches, you know, a conclusion as to how and why or who the department of planning needs to reach out to, that they do some analysis, then they look at
literature, that they look at studies of what has been done somewhere else, right, because we cannot compare Pittsburgh to Chicago or New York or San Francisco for that matter, right, so what comparable city can we look at that will help us get an idea how this community standard can be included, and there may be that there's nothing out there, we don't know, but that may be the starting point, that a couple people will do some research and find out, okay, what has been done related to race and ethnicity in whatever city, and it may be within the state, it might be in a different state, and then they say, "Okay, they did these three things. Is that something that is doable in Pittsburgh, and what would it take to do those three things in Pittsburgh," whether there's, you know, resource -- financial resources, human resources, whether it's, you know, working with existing groups or forming a group, or whatever the -- whatever the ideas may be, and I'm just talking right off the top of my head.

MS. GERHARDT: Recommendations for
MR. TORRES: Exactly, recommendations for laws or -- at the local level, at the county level, or whether it may be the trust fund that we were talking about earlier, and we have a little bit of exchange about how we should not limit ourselves, so those kinds of ideas is what is expected, and if the -- if a specific subcommittee wants to have some sort of forum where they get input from the community, they're free to do that. If they want to just do a literature review, talk to experts, or talk to social service providers, whatever the committee may choose to get to whatever their angle may be, so the committee and their chair will get to plan what their work will look like.

MS. GIBSON: And do we have an overall timeline of what we want to see the committees complete so -- yeah, there's the literature review or any comparisons --

MR. TORRES: So I believe the next analysis of impediment doesn't start until 2018, is that correct, or later?

MR. TORRES: So we have some time.

MS. GIBSON: So it's already September.

MR. TORRES: So we have some time, so it's not like in the next three weeks, because it starts January 1st or something, so in that sense, we have a little bit of breathing room so we don't have to rush, but we can definitely provide more specific goals or -- or benchmarks after today.

And after the committees have a chance to meet and decide, "Oh, only two people signed up, we need more people to accomplish this work," and we'll reach out to the folks who are not here, saying we need more people for the disability subcommittee or whatever. That's basically just on top, that's why I mentioned that one.

MS. GERHARDT: And for the outreach and education committee, I could see ongoing work being really valuable, so, like, helping to educate on the source of income, legislation, and, you know, there are -- I think there were some misconceptions that, you know, might help to prevent a lot of
concern if there had just been better
communication on some things, so more time to
develop a kind of outreach and education on
things like that.

So beyond work on the analysis of
impediments, maybe that could be a useful
committee for just ongoing work to support
fair housing through outreach and education.

MR. O'HANLON: This is Paul. I would
just sort of add to that, that thinking about
this as the function subcommittee, I mean,
you've already brought up the issue of
recruitment. I mean there are a variety of
functions. It could be research -- I mean, I
think that in the end there will be certain
functions that we need to kind of
operationalize, and, so, it may be that
outreach and education is part of a longer
string, but, you know, just sort of food for
thought.

MR. TORRES: So we have the sign-in
sheets. I'll pass them around. If you are
interested -- if you're not and you have to
think about it, feel free. Please volunteer
for just one to start with.
MR. DAMEWOOD: Well, one of the
subject matter committees; right?

MR. TORRES: Yes.

MR. DAMEWOOD: So someone could
volunteer for one of the subject matter
committees and for the outreach and
education; right?

MR. TORRES: Yes, yes. That's the
only exception.

MR. DAMEWOOD: Thank you.

MS. GIBSON: Do we -- do we want the
subcommittees to meet before our next
quarterly meeting on December 6th?

MS. GERHARDT: I hope.

MR. TORRES: Ideally, at least, even
if it is just a phone or e-mail exchange or
something, to introduce yourselves and say,
"Hey, let's set up a time to talk," and at
least you can say, "Hey, we talked about
meeting, and our meeting is on, you know,
January 10th," I don't know, whatever it may
be.

MS. KINTER: So correct me if I'm
wrong, but I think the staff of the
Pittsburgh Commission on Human Relations will
contact everyone who signed up for a sheet
and get you guys together so you know who's
on the committee.

MR. TORRES: Yes, yes.

MS. KINTER: And then go forth.

MR. TORRES: And then we'll tell you
who your chairperson is, and then that
chairperson will take the lead.

MS. GERHARDT: Carlos, do you have one
more?

MR. TORRES: Oh, yes, outreach.

Sorry. Education.

MR. O'HANLON: So someone like Rachel
would be sending us an e-mail and saying
which subcommittee are you interested in
serving on, and then the potential chairs of
said subcommittee would get a list of these
folks that are interested, that kind of
thing. Okay.

MR. TORRES: Exactly like that.

MS. GIBSON: For further
clarification, are we requiring all
33 members -- each person must be on at least
one subcommittee, and they must sign up by --
you don't -- do we not put a deadline?
Because my worry is it's going to drag out a long time if we don't set up a deadline with those requirements, so I would say by the end of the month?

MR. TORRES: That's fair.

MS. GERHARDT: For those that don't sign up, if we don't see your name, we follow up on those for committees.

MS. SURMICK: And then just one other clarification question, we're signing up for one subject matter, or, I mean, for example, we're a housing counseling agency, and it makes more sense for us to be more heavily involved in the outreach and education, especially from a consumer perspective, because we don't necessarily focus on any of the specific subject matters specifically; rather, we see them all.

MR. TORRES: Um-hum.

MS. SURMICK: So we don't necessarily have to do a subject matter?

MR. TORRES: No.

MR. O'HANLON: But I would urge that each subject matter committee --

MR. TORRES: Has at least one
representative.

MR. O'HANLON: -- has at least one
person --

MR. TORRES: In the outreach.

MR. O'HANLON: Yes.

MR. TORRES: That make sense.

MS. SCHWARTZ: I have a question --
well, more of a comment. With these -- these
sort of group four groups, I guess I'm just
curious as to why home ownership isn't
necessarily included, but as a subject group,
I mean, there's -- there's a huge problem
with minority home ownership in Pittsburgh.

MR. TORRES: It can be.

MS. GERHARDT: It can be included, but
it just would be addressed in race and
ethnicity, it would be addressed in
disability, so if Paul has concerns about
barriers to home ownership, so couldn't that
be in all of them?

MR. TORRES: Well, so, this is what --

MS. SCHWARTZ: Yeah, I guess that's
the question of how do we want to --

MR. TORRES: So this panel would be --

MS. SCHWARTZ: -- to tackle it, do we
tackle it through the protected class, versus
through the type of housing?

MR. TORRES: Because one of the
barriers we talked about could be home
ownership, right, because of our -- whether
it's your income, your family status, or your
race or your ethnicity, or whatever the
protected classes are, so I think the
expectation is that -- and, again, maybe we
need to say it, put it in writing, like, when
you're thinking -- when you're working on the
race and ethnicity or whatever the
subcommittee is, you need to be thinking
about also about home ownership, not only
renting or --

MS. SCHWARTZ: But I think my concern
is oftentimes -- and it's happened throughout
this meeting, even -- is that when we talk
about fair housing, it often slides to renter
issues, and, granted, the low income folks,
they are predominantly renters, but, I mean,
with fair housing, it's -- it's not just a
renter issue, and, so, for me, it's sort of
like this home ownership gets overshadowed a
lot in conversations that I am witness to,
and I'm just sort of --

MR. TORRES: So we can certainly
include that when we send out more details or
a timeline about the different subcommittees,
remind folks like, "You need to also be
thinking about home ownership for this
particular group so it doesn't get, you know,
pushed aside or" --

MS. GERHARDT: And for the one -- the
sign-up sheet for the formerly incarcerated
and homeless, if we -- I think we came to a
conclusion that that group will really focus
on not just those two groups, but looking at
ways -- you know, are -- is there a need for
other -- disparate impact, but then is there
a need for us to advocate for there being a
new protected class, as well, where it's an
explicit part of our city code, so just keep
that in mind when you're signing up for that,
that that is going to be kind of a more broad
range than just those two groups listed at
the top.

MR. DEAN: So these four, you sign up
for, but this overarching outreach and
education, you could put your name on this
and put your name on one of these four, as well?

MS. GERHARDT: Yes.

MR. TORRES: Right.

MR. DEAN: I just wanted to make sure.

MS. GERHARDT: But you don't have to.

MR. DEAN: You don't have to, but --

MS. GERHARDT: If you put your name on outreach and education, you don't have to do one of the subject areas.

MR. TORRES: And, I'm sorry, we don't have your information. Put an e-mail next to your name, or your phone number, so that we can reach you. Do we have a form for you? We should have it, but if we don't --

MR. DEAN: Okay.

MR. TORRES: So I know how to reach you, because otherwise you will be waiting to hear from us and you'll never hear from us.

(Discussion off the record.)

MR. TORRES: Helen, do you want to go through 3-D, since he's back, and see if he has anything to share with us? Although we put him on the spot. His face is, like, "What did I do?"
MS. GERHARĐT: Paul, you left exactly
when I was hoping that you could address the
hearing on Thursday, the moving toward the
annual plan with the Housing Authority of the
City of Pittsburgh, if you wanted to address
any special areas of concern, or if you think
there's anything that we might speak to
regarding fair housing concerns.

MR. O'HANLON: Okay. Well, so, this
Thursday is a public comment period. The
housing authority is submitting their annual
plan to HUD to their move to work yearly
action plan. It impacts both the traditional
public housing community, as well as
Section 8 housing choice voucher programs, so
there's very little that it didn't impact.

So I think that there are
opportunities for written comments till maybe
the 15th or something, but I know that the
public hearing is on the 8th, so time is
short; the 8th is Thursday, this is Tuesday.

I mean, there's a lot of things to
say. I mean, one of the overarching concerns
is that nothing in the principles of it
mentioned affirmatively fair -- furthering
fair housing, nothing in the body of it seems to address fair housing issues, but -- and, so, in a certain sense that's completely missing.

What is present are a number of proposed changes, and I'm not quite sure how much detail you want from me about it, but the proposed changes include changes dealing with the Section 8 voucher rent reasonableness standards. In other words, what Section 8 will -- how much -- how much apartment you can afford in rent. That will apparently be reduced. It basically amounts to large amounts of dollars that come to the housing authority primarily for the housing choice voucher program being redirected to construction and kind of creating additional units largely in mixed income communities, which means that the housing authority will -- apparently is proposing to reduce the number of housing authority units, as it has been doing, and increasing other units, some of them tax credited properties, some of -- there's a whole variety of things which they propose moving money to.
They will be creating a fund to pay
the landlords who are engaged in the
Section 8 home ownership -- or, housing
choice voucher program who have damage claims
against tenants that the housing authority
will, in fact, be a payor, a lot I can say
about that.

What are the other major points to
remember?

MR. KEENAN: Bob was talking about a
home ownership concern you had, something
about capitalizing the vouchers.

MR. O'HANLON: The housing authority
had -- so with respect to Section 8 housing
choice vouchers, you can, in effect, buy a
house with that Section 8 money instead of
renting a house, and you know as I will say
lots and lots of people are buying houses
with Section 8 money, and they're all
landlords, and that what you could do is have
a tenant or the recipient actually buy the
house, but the housing authority has not
chosen to implement the housing choice
douche program, they have their own program,
which has -- I have a number of concerns
about, having represented gazillions of low
income homeowners and tenants over the years,
and one of which is that it's all directed
toward the mortgage amount and none of it is
directed toward the utilities, taxes, and
other expenses that often end up kind of
crushing the deal, but they proposed to
especially limit the number of available
home ownership vouchers because of some kind
of capitalization of the expense concerns
that they talk about in the report, so in
other words, they're talking about a
rationing of available slots for home
ownership, which is particularly concerning,
given that they're -- they're able to place
less -- maybe 30 percent of the people with
vouchers in actual rental housing. The
return rate of vouchers is nearly 70 percent,
so people get a voucher they can't use, they
end up returning it, and that is creating a
huge cascading problem where people who could
get housing assistance aren't able to use it,
and, so, there are whole ranges of concerns.

MR. DAMEWOOD: So the -- the problem
that Paul mentioned earlier about the payment
standard is really relevant here; right? So, I mean, the city just passed a law to make source of income a protected class to expand the housing that's available to -- to voucher holders who are looking for housing; right? It's a serious issue. But I would argue that the payment standard is at least as important in terms of expanding housing choice as outlawing discrimination against voucher holders, you know, because if the payment standard isn't high enough, you just can't -- certain neighborhoods just off limits, right, because you can't find a house there within the housing authority's voucher payment standards.

So the housing authority in this moving to work plan, they -- on one hand, they say, "Well, we're going to study that. We're going to -- we're going move to something called a success rate payment standard," and no one really knows what that means.

MR. O'HANLON: No one knows what that is.

MR. DAMEWOOD: But they're going to
study that, but while they're studying that, they're going to reduce -- they're going to eliminate their exception payment standard, their exception rent. So, in other words, right now, they have higher rents in higher rent areas, higher payment standards in higher rent areas. They're going to eliminate that right now, except for with people with disabilities, that's the one area where they will keep it in place. While they study this other kind of payment standard that no one really knows what they're talking about --

MR. O'HANLON: While the lion's share of their Section 8 money is going -- spend on the people that it's really intended to benefit.

MR. DAMEWOOD: So that's a huge issue. I don't know how that impacts the work of, you know, this committee.

MS. JOHNSON: Home ownership issues, too, there is this concern that home ownership is being undercut by these changes, that the ability of people to buy homes with Section 8 vouchers would be undercut by these
proposed changes: am I understanding that correctly?

MS. SCHWARTZ: But that's not something that's being utilized in the first place.

MR. DAMEWOOD: Not in Pittsburgh.

MS. SCHWARTZ: So when I say -- I'm talking generally limited to Pittsburgh.

MR. O'HANLON: But, nonetheless, they're talking about putting further limits on it.

MS. SCHWARTZ: Right, right.

MR. O'HANLON: I mean, I don't disagree. It doesn't -- I'm not convinced that they're getting a ground swell of interest in it in the first place, but they're talking about kind of -- even further.

MS. GERHARDT: So the lack of interest due to the restrictions put on it by this housing authority, as compared the other places?

MS. SCHWARTZ: I always thought the lack of interest had to do with it's hard to find a lender that's going to want to, you
know, originate that mortgage.

MS. SURMICK: And then there's also, in my experience, a lack of awareness that people can even take advantage of the program, the Section 8 home ownership program.

MR. O'HANLON: The market is the public housing tenant who are in the family self-sufficiency program as an inducement to get them out of public housing. It's not marketed to really Section 8 voucher holders.

MS. GERHARDT: So outreach and education.

MR. TORRES: Yeah.

MS. SCHWARTZ: Well, that's more advocacy towards the housing authority before -- I mean, you don't want to do outreach and education on a program that doesn't exist.

MR. QUINSENBERRY: On the payment standard question, do we know what neighborhoods will become unavailable to Section 8 voucher holders when they reduce the payment standards?

MR. DAMEWOOD: That information -- you
can get that information. I don't know
offhand. I mean, you know what those
neighborhoods are.

MR. QUISENBERRY: Squirrel Hill,
Shadyside, Highland Park, you know, places
with very high amenities and --

MR. DAMEWOOD: They're higher rent.

MR. QUISENBERRY: -- public schools
and higher rent.

MR. HARVEY: Planning a suit already,
Kevin?

MR. QUISENBERRY: I'm suggesting that
may be a disparate impact on the basis of
race or other protected classes by a
reduction of that payment standard. I just
wondered how the housing authority has looked
at it, and if they have looked at it through
a fair housing lens or not, and I think if
they haven't, they should, and I think we
should.

MR. TORRES: And that's why people
should go on Thursday and talk.

MR. O'HANLON: I see a distinct dearth
of data justifying these changes. I mean, I
read the report, and it's like they're
implementing things, and I'm wondering,
"Well, what's the data to suggest this is the
right thing to do," and it's not there.

MR. QUISENBERRY: Is there a rationale
stated for it?

MS. SCHWARTZ: I'm sorry, I'm still a
little --

MR. O'HANLON: The rationale --

MS. SCHWARTZ: -- their payment
standards reduced, because Section 8 just
raised their payment standards.

MR. DAMEWOOD: Overall, but there is
something called exception payment standards,
so the housing authority can --

MS. SCHWARTZ: Who gets the exception?

MR. DAMEWOOD: In higher rent
neighborhoods, so it's --

MR. KEENAN: It's done through rent
reasonableness, right, so the fair market
rent in a particular neighborhood is higher
than the fair market rent for -- for MSA,
they can go above --

MR. O'HANLON: There's a HUD authority
that implement changes up to 120 percent of
the federal fair market rent.
MS. SCHWARTZ: Right, right, because any -- any voucher holder or -- or whatever in the second year of the voucher, that second year, they're saying that they can have the rent raised to the rate of rent reasonableness; right?

MR. O'HANLON: That's a different thing.

MS. SCHWARTZ: That's a different thing?

MR. O'HANLON: That's a different thing.

MR. QUISENBERRY: The idea is the housing authority will not let you use a voucher if the rent for the unit is higher than what the payment standard can pay.

MS. SCHWARTZ: Okay.

MR. QUISENBERRY: Except they can when they employ this exception, and what they're talking about doing now is taking away the exception so that there's a cap at the general PMSA payment standard.

MR. O'HANLON: My sense is they had only recently started granting exception to rents.
MR. QUISENBERRY: So, for instance, in, say, what is it, lower Lawrenceville or upper Lawrenceville, you know, I haven't looked at this in five years or so, but the rents are generally cheaper in upper Lawrenceville than they are, say, in lower Lawrenceville or Friendship or Bloomfield or Highland Park or Shadyside or Squirrel Hill or a number of other places, and, you know, if you're a voucher holder and you want to go live in one of those other places, you may not be able to do it.

I mean, the payment standard might afford upper Lawrenceville, but not those other places, and that's where the exception payment standard comes into play. The housing authority can and has exercised its discretion to give exceptions where the rents are higher. Now they're saying, "We're going to take that away while we look at some other thing."

MR. HARVEY: Do you know, has the exception been granted only in cases where the voucher holders are disabled? Do you know if those are the only times it's been
MR. DAMEWOOD: No, it's not the only time it's been granted.

MR. HARVEY: I wonder if that in practice if it's really only been granted to -- I'm just saying, in practice, was that the case that they made?

MR. DAMEWOOD: It was the basis of a reasonable accommodation request, which when received kind of forces them to do it, unless it's a fundamental alteration or undue burden, so, you know, those were the few cases there was a way to compel them to offer this exception rent standard.

Because the data was so horrible in the last recent years, they were compelled to implement it on an increasing basis, which, of course adds some cost to each voucher, but given that most of their money is going unspent, they're using it for other reasons, you can argue, "Well, what's the problem?"

Well, I don't know, but they're not doing that any more.

MS. GERHARDT: So the public comment period, we think, in terms of written
comments, goes to the 15th, and if we could
find out what that date is send it out to the
group so that those who can't make the
hearing this Thursday could at least submit
written comments, that would be important.

Paul, is -- how much weight do they
give public comment? How much influence can
we have here? Do you have some sense?

MR. HARVEY: Who tends to show up at
these things, and who they represent?

MR. O'HANLON: I know there have been
times in the past where the public comments
were delivered to the housing authority's
lawyer and there was nobody else in the room,
and I never thought that it made much of a
difference unless it got outside that room,
and I wasn't convinced that it did, so I
think that it behooves us to reach out to
board members and other people, because, you
know, I think people need to hear dissenting
opinions, and I'm afraid that within that
loop there's not a whole lot of dissenting
opinions that get expressed.

MS. SALEM: So I have the printout
from the website, and the final date is
September 15th by the close of business at 5:00 p.m. for written comments.

MR. QUISENBERRY: I think under the regulations, which they are still obligated to follow, even though they're moving to work, I think they have to respond to written comments, and those responses -- the comments and response have to be submitted to HUD for HUD's review and approval of the plan.

MR. DAMEWOOD: The actual comments or a summary of the comments?

MR. QUISENBERRY: Well, no, if you show up in person, my understanding is they can summarize the comments, but if you submit written comments, my understanding is they have to show the written comments and respond to the written comments.

MR. O'HANLON: But, again, I wouldn't hold my breath with respect to what HUD would do, because HUD is usually faced with the Hobson's choice of denying everything that's being asked for -- you know, it's sort of like you really hope to get a more nuanced approach. I'm not holding my breath that that would get us there, but --
MS. GERHARDT: So it really is the housing authority's decision makers that we need to reach and help inform or persuade.

MR. O'HANLON: Right, right. I mean, there are aspects of the move to work thing that I don't like, which is that all of the HUD protections that are built into the regulations are essentially waived, so it allows the housing authority to do things that are potentially worrisome because they're waived, they're all -- all of that is essentially waived. Given the level of crisis I feel that we have in this city, for them to have discretionary authority to play with a program and do things that tweak it and make it work here I feel is critical, and, you know, that discretion that they have, if utilized correctly, could be a lifesaver. I just don't see it happening in the current plan.

MR. KEENAN: So, again, I don't know how accurate this is, but this is what I think has been happening with them in the past because their moving to work, so because I haven't used some of their Section 8
funding, I think you said $11 million a year, they would have normally turned that back, they can repurpose that money into their capital fund, and I believe that's how they did a lot of Addison Terrace redevelopment, they scaled that way down, and they used money that could have gone to Section 8 to actually tear down public housing units to further reduce the amount of money that we're saying can go to programs, and I think they're going to do the same thing with Allegheny Dwellings --

MR. DAMEWOOD: They already do.

MR. KEENAN: -- because they don't -- they didn't get their low income housing tax credit application approved, so they could potentially use the Section 8 money that they were going to spend there to tear down --

MR. DAMEWOOD: I think they've already started demolition.

MR. KEENAN: They're on voluntary relocation right now with the intent, I think, to tear it down, so I think it's important that we go and say something like, you know, "You should use the money that
you're given and the intended purpose." If
not, you know, the flexibility is great, at
least they don't have to turn it back in to
HUD, but really using it to tear down more
units, and we can't afford to have units torn
down, so at least to get them to do a
one-for-one replacement, maybe if they're
going to use it for tear downs, I mean,
there's a lot of things we can talk about,
but I think it's important for us to
understand kind of what is going on with that
money, how they're using it.

MR. QUISENBERRY: There might be a
contradiction between the market analysis
that Bob mentioned earlier and the market
analysis that the housing authority has done
to justify this continued reduction of units.
I know in the stated justification there was
this theme again that the population of
Pittsburgh has been shrinking since 1980 or
'60 or '40 or something. That seems
inconsistent with the conclusions of, you
know, the study that was done recently that
found a great need for -- especially deeply,
continue reducing deeply affordable units, so
maybe there's some expert debate that needs
to occur, or maybe the housing authority
hasn't analyzed it in that way.

MR. O'HANLON: I think the review from
20,000 -- demonstrating need for about 20,000
more affordable units in this city. It's a
social responsibility that we have. Okay?
What we're essentially doing is we're --
we're filling a social responsibility of
building affordable housing by taking money
that was earmarked for needy families and
essentially picking their pocket and doing it
from their funds. I mean, it just seems
wrong to me. I mean, I really think we need
to find a way of building affordable housing
that takes the money from people who can
afford to give it to them, instead of taking
it from families that are kind of depending
on this to be able to keep a roof over their
heads for their family, so I'm just really
not happy with the policy.

MR. QUISENBERRY: The one
justification I have heard about that policy,
taking rental assistance and putting it into
capital development, is that there aren't
enough units that, you know, ipso facto, is
demonstrated by the poor utilization rate, so
why would we continue to do something that is
not working, why wouldn't we redirect that
money and create some new units so we create
the housing where people can live, but I
don't know that that has been vetted at all.
That's the justification that I've heard, but
my sense is if utilization has failed, focus
on improving utilization --

MR. O'HANLON: By increasing the
payments.

MS. SCHWARTZ: Well, there's more that
needs to be done, just in addition to
increasing the payment standards. I mean, we
have a quality issue in this city that is
really, really, like, pretty epidemic. Our
housing stock kind of sucks, it's really old,
and it is not economical for the folks who
are operating and managing these units to be
able to make the capital improvements to make
sure that they can pass inspection, so is
there anything in this that's -- you know, I
mean, instead of putting $250,000 into one
affordable unit, why not do, you know, 25
$10,000 matching grants to private market
landlords and now you've got 25 units that
are working with vouchers. I mean, is there
anything like that in --

MR. KEENAN: Not until you make a
comment, so --

MS. SCHWARTZ: Well, I've think it's
been in the comment for about two years, if
anybody knows --

MR. KEENAN: Write it down and submit
it.

MS. GERHARDT: I am just wondering if
there is enough energy and expertise in this
room to actually form a subcommittee to look
at and work on advocacy regarding housing
authority policies, payment standards, you
know, how this housing voucher program is
being administered, and how outreach and
education are done.

MR. HARVEY: Quick, let's do it before
David is here.

MR. DAMEWOOD: We'll make David the
chair of the committee.

MS. GERHARDT: So let's table that
question, but if -- as many people as can be
there at the hearing, that would be
wonderful, and as many comments as can be
submitted.

Would it be useful to share comments
so that that becomes a common basis of
knowledge, and our various angles on this
issue?

MS. SCHWARTZ: We can also compile,
like, a file of different comments from
different members of the task force and then
e-mail it to each board member in addition to
submitting it.

MR. TORRES: Yes.

MS. GERHARDT: That sounds great.

MR. TORRES: That's something that is
very easy to do.

MS. GERHARDT: Okay. So we are over
time. The last -- let's see here, the last
thing we have, the next quarterly meeting is
December 6th, and if it would be possible --
I'm actually going beyond what Carlos said --
if it would be possible for those committees
to try to meet once, I think would be
wonderful.
MR. TORRES: Once we have the information, we'll send them, and encourage them to do at least something before the next quarterly meeting, even if it is just set an appointment to meet or something, a conference call, or whatever may be, yes.

MS. GERHARDT: All right. And, so, goals to reach prior to the next meeting, beyond the committees, compiling those comments on the housing authority, I think is a good goal, and making that a useful document and perhaps using that as a basis of either a committee or some sort of action plan for this group to advance work on it, I think, might be another good thing.

Are there other goals that people want to suggest?

MR. DAMEWOOD: Can our transcript be used for that purpose?

MS. GERHARDT: I hope so.

(Discussion off the record.)

(Thereupon, at 4:43 o'clock p.m., the conference was concluded.)
C-E-R-T-I-F-I-C-A-T-E

I, Eileen L. Drake-Ober, the undersigned, do hereby certify that the foregoing eighty-four (84) pages are a true and correct transcript of my stenotypy notes taken of the task force meeting held at Piatt Place, 301 Fifth Avenue, Suite 390, Pittsburgh, Pennsylvania 15222, on Tuesday, September 6, 2016.

[Signature]

Eileen L. Drake-Ober
Notary Public in and for the Commonwealth of Pennsylvania
My Commission expires: December 6, 2016

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