

MINUTES OF MEETING
COMMUNITY PRESERVATION COMMITTEE
April 27, 2020
Location: Online Meeting

The Community Preservation Committee (the “CPC” or the “Committee”) convened a regular meeting, duly noticed, on Monday, April 27, 2020 at 5:30 p.m. via the videoconferencing platform Zoom. CPC members present were Stephen Ober, Chair; Barry Tubman; Ken Newberg; Nina Danforth; Nathalie Thompson; Marcy Dorna; and Steve Wagner. CPC member Sue Zacharias was absent. Weston Affordable Housing Trust Chair Sarah Rhatigan and Regional Housing Services Office employee Liz Valenta were present. Weston Media Center Videographer Alanna Muldoon and CPC Administrator Tracey Lembo were also present.

Steve Ober read a statement explaining the need for a meeting conducted by remote participation in light of the emergency orders issued by Governor Baker in response to the COVID-19 global pandemic, noted that the meeting was being recorded, and invited public comment.

Public Comment

None.

Applications for Annual Town Meeting:

- **Weston Affordable Housing Trust (“Trust”) – \$100,000 for COVID-19 Emergency Rental Assistance Program**

Mr. Ober introduced an emergency request from the Trust and noted that Chair Sarah Rhatigan and Liz Valenta [who provides staff support to the Trust] were in attendance. Mr. Ober reminded members that the CPC had held its public hearing in March and then indicated that given Town Meeting’s uncertain timing, the Select Board (“SB”) had held the warrant open and might vote it tomorrow night (i.e., April 28th).

Ms. Rhatigan reported that the Trust had just met to carefully review the CPC application which had been developed at an emergency pace to respond to job and income loss resulting from the COVID-19 pandemic and ensuing business closures. Ms. Rhatigan reminded the Committee that it had been clear since 2012 that rental assistance to support community housing is an eligible use of CPA funds. Ms. Rhatigan referred to a statewide effort to cobble together funding, including from CPA, to help renters on the precipice of eviction. Ms. Rhatigan noted that rent collections were down significantly across MA but that there was a moratorium on evictions across the state for at least 90 days.

Prefacing her remarks with the caveat that need would be difficult to ascertain, Ms. Rhatigan reviewed data from the Town’s 2013 Housing Production Plan (“HPP”) which showed that despite the fact that Weston had one of the highest median household incomes in MA, 10% of its households earned less than \$25,000 per year and 42% of its renters earned less than \$35,000 per year. Ms. Rhatigan reported that according to the MA Department of Education, 110 children in the Weston Public Schools are economically disadvantaged (i.e., children whose families have applied for government assistance). Ms. Rhatigan then compared the median household income for Weston owners (\$217,177) to renters (\$80,117) and also to the median *individual* income for workers in Weston (\$63,475) as reported in the

HPP. Noting that HUD considers households paying in excess of 30% of income overburdened, Ms. Rhatigan reported that 12% of Weston renters paid over 30% of their incomes in rent and that 11% paid over 50%. Ms. Rhatigan then presented information from the U.S. Department of Labor showing both the unemployment rate and the number of new unemployment insurance claims in MA skyrocketing after March 15th.

Ms. Rhatigan reported that in 2012 CPA was amended to clarify that rental assistance qualified as “support” of community housing and could be used to fund, among other programs, rental assistance to individuals and families who qualify for community housing. Ms. Rhatigan noted that a number of MA cities and towns were using CPA funds to establish emergency rental assistance programs much like the one the Trust envisioned. Ms. Rhatigan reviewed the mechanics of the Emergency Rental Assistance Program (“ERAP”) that the Trust was proposing as follows:

- 1) CPA funds to be appropriated to the Trust;
- 2) Trust to contract with the Regional Housing Services Office (“RHSO”);
- 3) RHSO to administer Weston’s ERAP, which would be tailored to local needs, along with programs in neighboring towns; and
- 4) Trust to oversee RHSO’s implementation of the program.

Ms. Rhatigan reviewed the ERAP’s purpose (i.e., to provide temporary rental assistance to individuals and families who have lost income because of the COVID-19 pandemic and resulting economic downturn) and goal (i.e., to support the community’s renters who may face eviction or other hardships without rental assistance).

After noting that rental payments would *not* be limited to deed restricted affordable units, Ms. Rhatigan reported that the ERAP would be limited to renters who:

- 1) Live in a rental property in Weston or have a lease commencing in Weston within 30 days;
- 2) Have children enrolled in a Weston Public School; or
- 3) Work (or were working as of March 10, 2020) in Weston.

Ms. Rhatigan listed further eligibility criteria as follows:

- 1) Earning no more than 100% of area median income (“AMI”) adjusted for family size. (Ms. Rhatigan noted that a percentage of household assets would be imputed to household income.)
- 2) Demonstrating a loss of income due to COVID -19.
- 3) Demonstrating that greater than 30% of gross annual income is spent on rent and certain utilities.
- 4) Being otherwise eligible (e.g., receiving no other state or federal rental assistance and/or not paying a “luxury” rental rate).

Ms. Rhatigan indicated that grant size would be based on bedroom count and would be made for an initial 4-month term and, assuming continued eligibility and adequate funding, could be renewed for a maximum of 2 additional 4-month terms (i.e., 12-month maximum award period). Ms. Rhatigan reported that grants would be paid directly to landlords pursuant to simple grant agreements signed by applicants, landlords, and the Trust.

Ms. Rhatigan reported that advertising and outreach would be done in accordance with affirmative marketing policies complying with federal fair housing laws. Ms. Rhatigan explained that there would be an initial 14-day application period during which the decision would be made to award grants on a rolling, first come, first served basis (if available funds exceeded initial demand) or through a lottery process (if initial demand exceeded available funds). Ms. Rhatigan noted that the Trust wanted to serve as many applicants as possible so did not intend to hold back funds for additional rounds.

Ms. Rhatigan then reviewed the \$100,000 CPA Fund request. Ms. Rhatigan explained that the Trust was having difficulty determining the level of need, particularly since it had been rushing to submit an application to the CPC. Ms. Rhatigan hoped that \$100,000 would be more than sufficient to award grants to all eligible applicants and noted that any funds not used within a specified time frame, probably 12 months, would be returned to the CPA Fund. Ms. Rhatigan raised the possibility of requesting additional funding to replenish funds in the ERAP if demand exceeded resources. Ms. Rhatigan expected that the Trust's existing contract with the RHSO would cover administrative costs but noted that a portion of the \$100,000 could be used to cover any additional administrative expenses.

Mr. Ober invited questions. In response to Nathalie Thompson's question, Ms. Rhatigan confirmed that, in addition to Weston residents, families of Weston schoolchildren and Weston workers residing in other communities were eligible for the program. Steve Wagner asked if there were other programs aimed at filling the rental assistance need. Ms. Rhatigan cited the RAFT Program [Residential Assistance for Families in Transition]. Ms. Valenta explained that RAFT was limited to households earning no more than 50% of AMI. Ms. Rhatigan reported that RAFT could also be used for mortgage payments and that households receiving RAFT benefits would be ineligible for ERAP. Responding to Mr. Ober, Ms. Rhatigan reported that she did not have a good sense of the number of Weston Public School families or Weston employees who would be eligible for ERAP. Nina Danforth suggested that the initial 14-day application window was short. Ms. Rhatigan explained that the Trust was trying to balance the urgent need for an emergency response against the difficulty of pulling an application together in 2 weeks. Ms. Rhatigan explained that the Trust hoped funding would exceed demand during the initial 14-day period so that it would not have to conduct a lottery but could extend the application window instead.

Mr. Ober expressed concern that an applicant with substantial assets could suffer a job loss and become income qualified for the ERAP. Ms. Rhatigan indicated that the Trust was trying to provide an emergency infusion of cash to people who need it while trying to avoid giving cash to people who don't and hoped that the program's maximum rent levels would address Mr. Ober's concerns. Ms. Valenta explained that rental assistance programs do not typically have asset limits, though assets do count toward income either in the form of dividends or as an imputed percentage. Acknowledging that there could be some abuse of the ERAP, Ms. Valenta stressed that grant awards were limited (i.e., a maximum of \$2,600 over 4 months) and hoped that unit rent limits would make it more likely that low- and moderate-income households would apply. Mr. Ober noted the much-publicized abuse of federal COVID-19 relief programs but hoped that rent limits would preclude ERAP abuses. Citing market rent figures in Weston in July 2015 of \$1,600 to \$7,000 per month, Ms. Rhatigan suggested that ERAP rent limits would help direct funds to those in need. In response to Mr. Ober's question about the Trust's stated goal of serving as many people as possible, Ms. Rhatigan explained that in

either a lottery or first come, first served program, smaller grant amounts would not be ranked higher than larger amounts. Ms. Rhatigan conceded that in either a longer standing or better funded program, ranking according to public policy objectives might make sense. Marcy Dorna asked if Brook School Apartment (“BSA”) residents living off devalued investments would qualify. Ms. Rhatigan and Ms. Valenta explained that, theoretically, residents with any type of income loss would qualify, but Ms. Valenta noted the expectation that the Town would absorb any rent loss in its properties (i.e., BSA and Warren Ave.).

Responding to Mr. Wagner’s question about process, Mr. Ober indicated that the CPC did not need to recommend projects to Town Meeting at a public hearing and that the Community Preservation Coalition had suggested that Weston CPC’s practice of voting on projects at its public hearing was merely “a tradition of unknown origin.” In response to Ms. Danforth’s question, Ms. Rhatigan indicated that there was considerable interest across the state in rental assistance programs and referred to Waltham and Cambridge as communities using CPA funds to support such programs. Ms. Valenta reported that all of the RHSO communities had some level of interest in an emergency rental assistance program, albeit with differing processes and funding sources. Ms. Valenta noted that CPA funds required a Town Meeting vote and wondered whether an appropriation of funds at a September Town Meeting would be too late. Mr. Ober asked if other RHSO towns were using the same eligibility parameters as Weston’s proposed ERAP. Ms. Valenta reported that the RHSO had developed a single set of program guidelines which could be modified to fit a community’s needs.

After indicating that he was comfortable moving forward with the Trust’s request without a public hearing in this emergency situation, Mr. Wagner suggested that a lot of people would need a lot of help and expressed gratitude that the CPA Fund was in a position to provide some of that help. Echoing Mr. Wagner’s sentiments, Ms. Danforth expressed her view that the ERAP was well thought out. Mr. Ober confirmed that there were no further questions and that Committee members were ready to vote on the Trust’s request.

VOTE: Mr. Ober entertained a motion to approve the Weston Affordable Housing Trust’s request for \$100,000 to establish an Emergency Rental Assistance Program. Ken Newberg made the motion, seconded by Ms. Thompson. The motion was approved unanimously by roll call vote with Sue Zacharias absent.

Mr. Ober noted that some materials included in the warrant (i.e., CPC Report and Budget Book pages) would change because of the vote just taken and indicated that unless there were specific concerns, he and Tracey Lembo would make the appropriate revisions. Responding to Mr. Ober’s question, Ms. Lembo reported that the Town Manager had reviewed the draft warrant article she had circulated earlier in the day and had sent it to Town Counsel for review.

VOTE: Mr. Ober entertained a motion to approve the language in the draft warrant article entitled “Appropriate for Community Housing – COVID -19 Emergency Rental Assistance Program” subject to any revisions made by Town Counsel. Mr. Newberg made the motion, seconded by Mr. Wagner. The motion was approved unanimously by roll call vote with Ms. Zacharias absent.

- **Minutes of the March 23, 2020 Public Hearing and Meeting**

VOTE: Mr. Ober entertained a motion to approve the minutes of the March 23, 2020 public hearing and meeting. Ms. Danforth made the motion, seconded by Ms. Thompson. The motion was approved unanimously by roll call vote with Ms. Zacharias absent.

The meeting adjourned at 6:38 p.m.

Respectfully submitted,

Tracey A. Lembo
CPC Administrator

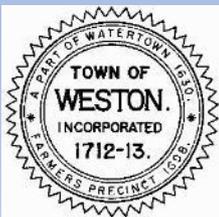
Appendix A

**CPC Public Hearing and Meeting
March 23, 2020
Document List**

- 1) Chair's Statement
- 2) Community Housing – COVID-19 Emergency Rental Assistance Program:
 - a. Application
 - b. PowerPoint
 - c. Draft Warrant Article
- 3) Draft Minutes of the March 23, 2020 CPC Public Hearing and Meeting.

Weston Affordable Housing Trust Application for CPA Funds

COVID-19 EMERGENCY RENTAL ASSISTANCE PROGRAM



CPA FUNDS NEEDED TO SUPPORT COMMUNITY HOUSING



**EMERGENCY RENTAL ASSISTANCE FOR INCOME-ELIGIBLE
TENANTS AFFECTED BY COVID-19 PANDEMIC**

RENTAL ASSISTANCE NEED

Despite having close to the highest median household incomes in Mass. - \$192,563/yr*

10% of Weston's households (360) earned less than \$25,000/yr *

42% of Weston renters earned less than \$35,000/yr *

*U.S. Census data as reported in Weston's Housing Production Plan (2013)

RENTAL ASSISTANCE NEED

(cont'd.)

5.4% of our town's population -- 110 children --
in the Weston public schools qualify as
“economically disadvantaged” *

* Massachusetts Dept. of Elementary and Secondary 2019-20 Selected
Populations Report

RENTAL ASSISTANCE NEED

(cont'd.)

Median Household Incomes:

Owners: \$217,177

Renters: \$ 80,117

Median Individual Incomes for people working in
Weston: \$63,475

*U.S. Census data as reported in Weston's Housing Production Plan (2013)

RENTAL ASSISTANCE NEED

(cont'd.)

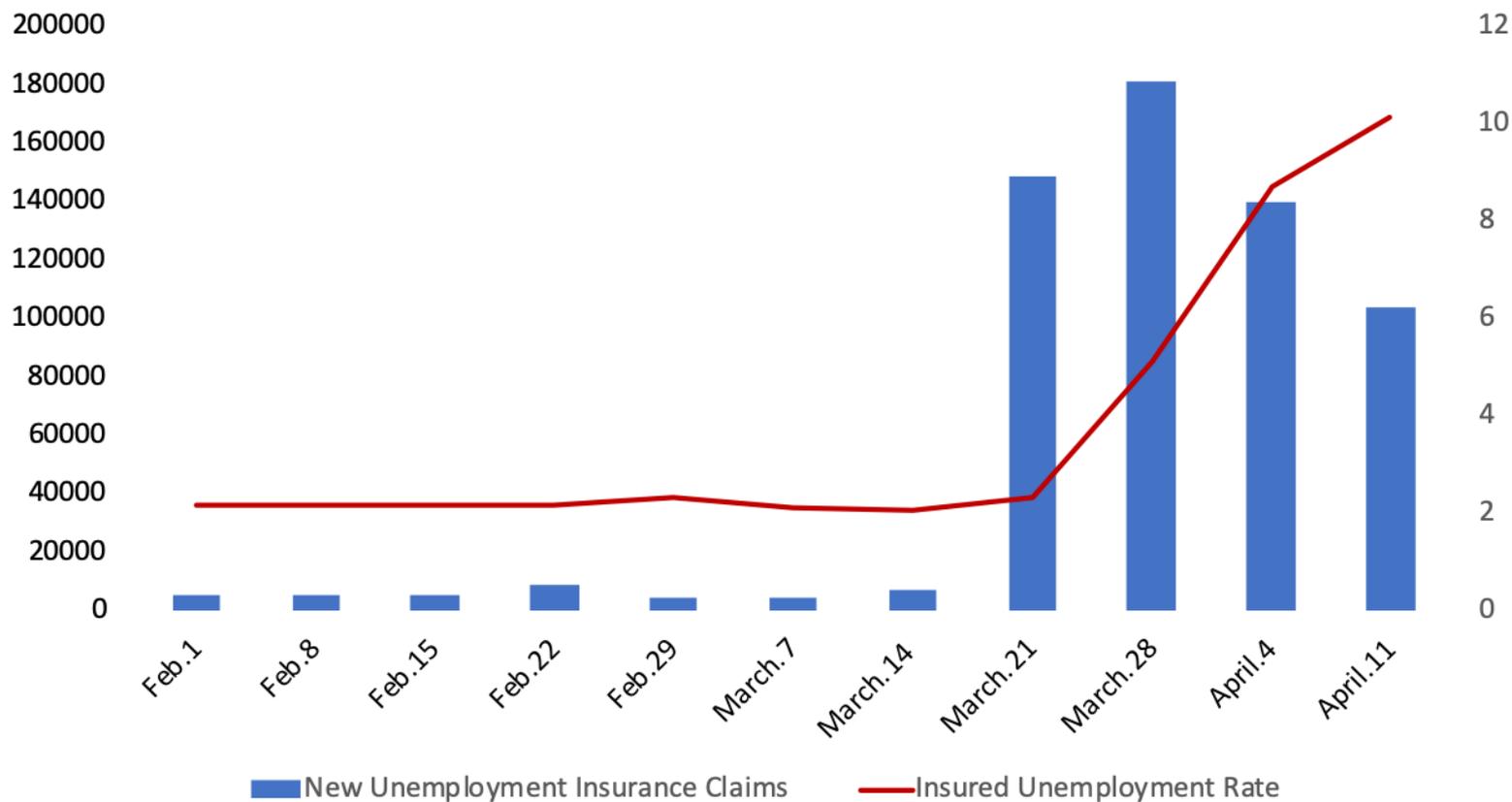
Housing costs are high and renters are "overburdened", many paying > 30% of their income towards rent and other housing costs:

~ 12% of renters paid over 30% of income in rent

~ 11% of renters paid over 50% of income in rent

*U.S. Census data as reported in Weston's Housing Production Plan (2013)

New Unemployment Claims Filed Since Feb. 2020 in Mass



*U.S. Department of Labor new unemployment insurance claims data (not seasonally adjusted)

Support Community Housing During COVID-19 Emergency Through Temporary Rental Assistance

CPA was amended in 2012 to specifically clarify that rental assistance programs fall under the “support category” and may be used to fund “programs that provide grants, loans, rental assistance ... to individuals and families who are eligible for community housing.”

Massachusetts Cities and Towns are using CPA funds to establish emergency rental assistance programs throughout the Commonwealth at this time of urgent need.

Weston's COVID-19 Emergency Rental Assistance Program (ERAP)

CPA funds to be appropriated to the Weston Affordable Housing Trust (WAHT)

WAHT will contract with the Regional Housing Services Organization (RHSO)

RHSO will administer Weston's ERAP as part of a program that will be administered in several neighboring towns

WAHT will oversee RHSO's implementation of the program

Weston's COVID-19 Emergency Rental Assistance Program (ERAP)

OUR PURPOSE:

To provide temporary, rental assistance to individuals and families who have suffered a loss of employment or loss of income as a result of the COVID-19 pandemic and related economic slowdown

OUR GOAL:

To support our community's renters who may, without rental assistance, face the risk of eviction or other hardship

ELIBILITY

WHO IS ELIGIBLE?

Renters who:

- Live in a rental property in Weston currently (or have a lease that will commence within 30 days); or
- Have children enrolled in a Weston Public School; or
- Work (or were working as of March 10, 2020) in Weston

ELIGIBILITY

..... and who meet income and needs requirements:

I. Earn up to 100% of Area Median Income (AMI)

Effective: 4/1/2020	100% AMI Income Limits						
Household size	1 person	2 person	3 person	4 person	5 person	6 person	7 person
Income Limit	\$83,300	\$95,200	\$107,100	\$119,000	\$128,520	\$138,040	\$140,492

ELIGIBILITY

Cont'd.

II. Demonstrate loss of income due to COVID-19, and

III. Demonstrate that more than 30% of gross annual income is spent on rent (and certain utilities); and

IV. Be otherwise eligible (eg., applicants cannot be receiving state or federal rental assistance, such as Section 8, and maximum rents may apply)

RENTAL ASSISTANCE GRANTS

- Monthly rental assistance grants for 4-6 month periods (TBD) will be based on the unit size - # bedrooms
 - EG., \$350/month (1 br)
 - \$500/month (2 br)
 - \$650/month (3 br)
- Renewable up to 2 times (for up to 12-18 months of assistance - TBD) if still eligible and depending on availability of funds
- Paid directly to the property owner/landlord
- Grant agreement between WAHT, the Applicant and the property owner/landlord

GRANT PROCESS

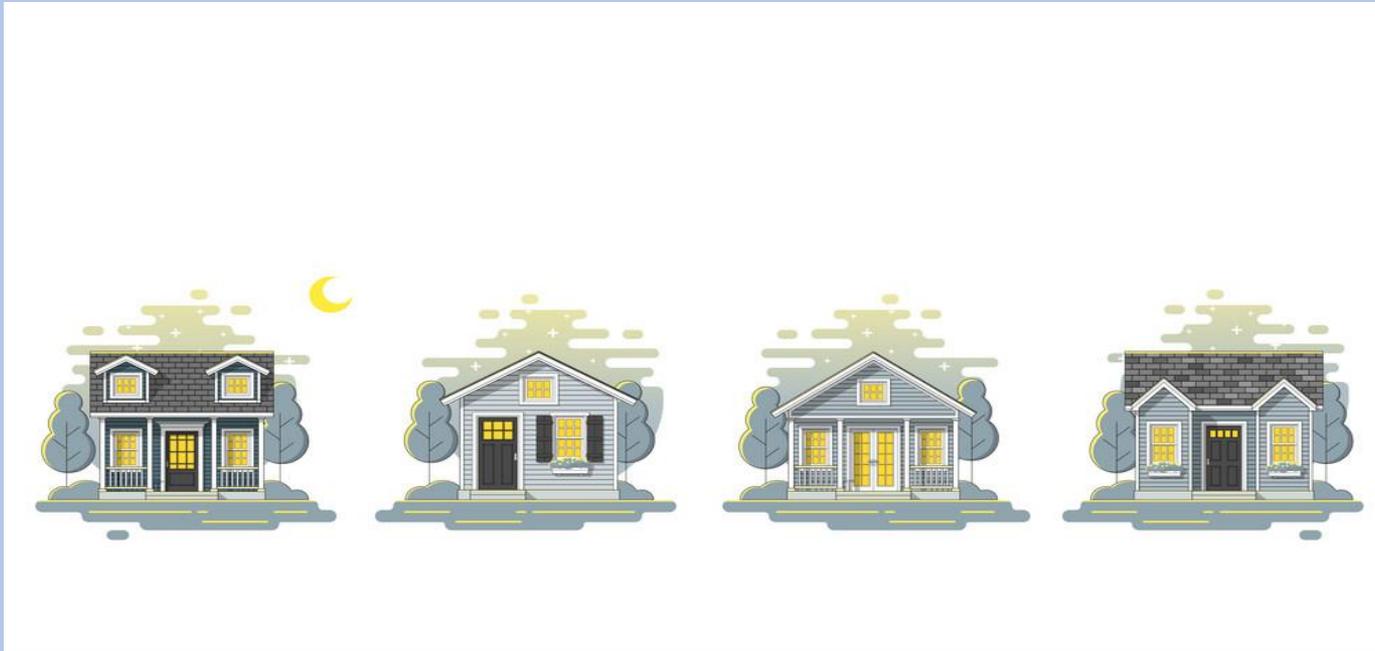
- Advertising and Outreach - Affirmative Marketing
- 14-day initial application period
- If available funds $>$ initial demand:
 - Applications processed and grants awarded on a rolling, **1st come, 1st served basis**
- If initial demand $>$ available funds:
 - RHSO will conduct a **lottery**
 - Grants will be awarded to as many applicants as possible

CPA FUNDING REQUEST

\$100,000

- CPA requested appropriation = \$100,000
- Estimated to assist between 12 – 40 households
- Portion of fund may be used to cover RHSO administrative costs, IF such costs exceed already contracted RHSO hours

Weston Affordable Housing Trust THANKS YOU FOR YOUR SUPPORT



**EMERGENCY RENTAL ASSISTANCE FOR INCOME-ELIGIBLE
TENANTS AFFECTED BY COVID-19 PANDEMIC**