1. CALL TO ORDER

11:30 AM meeting was called to order by Chairman Patrick Grill at 11:55 AM.

11:30 AM OR IMMEDIATELY FOLLOWING DEVELOPMENT COMMITTEE

2. ROLL CALL

PRESENT: Anderson, Bastian, Berley, Chaplin, Chassee, Grill, Krucek, Tornatore, Ungerleider, Wiley
ABSENT: Broder, Elliott, Grasso

Staff Present: Mary Keating, Community Services Director; Jennifer Chan, Community Development Administrator; Christine Pedersen, Senior Accountant/Community Services Manager; Christopher Ragona, Community Development Manager; Julie Hamlin, Sr. Community Development Specialist; Barb Temborius, Community Development Specialist; Christopher Donovan, Community Development Specialist; Tom Schwertman, Community Development Specialist; Ben Leitschuh, Community Development Specialist, Anna Sitton, Community Development Specialist.

State’s Attorney - Patrick Collins.

Others Present: Anne O’Dell, Executive Director - DuPage Homeownership dba H.O.M.E. DuPage; Jo Albert, Senior Housing Counselor - DuPage Homeownership dba H.O.M.E. DuPage; Kat Gilman, Permanent Supportive Housing Case Manager - Midwest Shelter for Homeless Veterans and Evan Shields, Public Information Officer - DuPage County.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

A. Home Advisory Group - Regular Meeting - Jun 5, 2018 11:30 AM

There were no questions, additions, comments or changes.

On a Voice Vote, the Minutes of June 5, 2018 was approved.
RESULT: ACCEPTED [UNANIMOUS]
MOVER: Janice Anderson, District 5
SECONDER: Elizabeth Chaplin, District 2
AYES: Anderson, Bastian, Berley, Chaplin, Chassee, Grill, Krucek, Tornatore, Ungerleider, Wiley
ABSENT: Broder, Elliott, Grasso

5. ACTION ITEMS

A. Action Item -- Recommendation to Approve a Policy to Adopt the Occupancy Rights Under the Violence Against Women Act (VAWA) Policy.

Chan said the Violence Against Women Act (VAWA) law has been around for quite a while, but the policy requirement was made effective this year. Perspective tenants cannot be denied admission because they have been a victim of domestic violence. The majority of the policy relates to protections during the tenancy to the tenant, landlord and the Community Development Commission.

Tornatore requested clarification; if a person is a victim of domestic violence, and applies to rent a unit, the landlord cannot deny this person even though the landlord has safety concerns for any other individual who may come in contact with the abuser. Tornatore stated he is for the policy but was playing devil’s advocate.

Chan stated this is a protection and Keating further clarified that this person is protected from being denied due to the domestic violence issue. However, the individual still has to meet all the other leasing requirements.

Tornatore asked if there was a limitation to the number of units this applies to. Keating said that this policy is for properties in which the County has invested Federal funds into. The smallest building that the County would have any funds in would be a 4-unit building such as those managed by Bridge Communities.

He further asked about the definition of a victim of domestic violence as addressed by Federal or state law; does there have to be a court adjudication or self-reporting case of abuse. Chan said that there was some guidance within the legislation, which was not spelled out in the policy, but referenced by regulation number for tenant and landlord protection. A form is required to be filled out by the individual, if they are seeking these protections.

Tornatore said he is for the concept but was concerned about the details. If the County is complying with the Federal and state laws, and not overregulating or changing any of the existing laws, presumably then the definition of a victim of domestic violence and if adjudication is necessary, has been answered, then what is the necessity of this policy. Keating said in these kinds of situations, the department is required by the Department of Housing and Urban Development (HUD) to have a written policy and that the department
complies with the Federal law.

Tornatore asked if this policy must be approved by HUD. Chan said at this point, it is a requirement to have this policy in place, but as of yet, the department has not been monitored by HUD.

Grill noted that there was a method for appeal in this policy. Tornatore noted that the burden seems to lie with the Commission and was concerned. Keating stated that the Commission would be the responsible party to accept the appeal and then would seek any outside guidance as directed by the Commission.

Wiley thanked Tornatore for his questions which in turn prompted questions of his own. He asked if any other policies were seen and used as a template. Chan said that Illinois Housing Development Authority (IHDA), the DuPage Housing Authority (DHA) and the draft version of the DuPage Continuum of Care’s VAWA policies were all reviewed.

Wiley was wondering if the definition of a victim of domestic violence should be spelled out in the policy. Keating said that the Federal statute was referenced within the policy and this would provide the definition. After a brief discussion, it was decided to continue to reference the statute in case any revisions were made. Keating asked if there was a deadline for this to be approved and Chan said yes.

In addition, Hamlin reiterated that there was a self-reporting form required to be filled out reporting abuse. It is not the requirement of the Department to say whether the abuse is true or not. Tornatore questioned if this person has filled out this form and then says they were denied for that reason, would the prospective tenant come back to the Commission with this grievance? What would the next step be.

Different scenarios were discussed. Would it be the Commission’s responsibility to decide if the person was truly denied because of abuse or due to other factors such as inability to pay the rent. Keating believed this is what would happen. Ragona stated that the department would work with the local HUD office. Discussed were the steps that would take place if a grievance was received. Keating felt that the most likely area in which this would come in to play is when the abused individual needs to break the lease and not be financially penalized. Tornatore was then concerned with what happens to the person who is still in the unit. Tornatore felt it was a great policy and was going to vote in favor of it but was concerned about the procedure. Keating said she would be happy to reach out to Family Shelter Service to give an educational presentation.

Ungerleider asked if there were any other standalone policies pertaining to civil rights. Keating said this is the first standalone policy. All Housing is required to abide by the Civil Rights Act, Equal Housing Opportunity, Fair Housing, etc. These are all built into the agreements.

Chassee said she would support the intention and vote for it. Could it be brought back next month answering the questions the committee has so that it could help the people it is intended for. Wiley suggested since this is a living document, it could be approved
today, and brought back with any additional changes. Keating said it sounds that the Committee would like the procedure to be explained in more detail. She also commented that if a victim of domestic violence was made a protective class, it would be easier. The issue of what would happen if or when the lease is broken would still be there. Tornatore questioned what happens if the remaining person does not want to pay 100% of the rent and wants to break the lease as well, would the remaining person or the landlord come before the Commission with their complaint?

Tornatore asked if this domestic violence language will be added to the lease. Hamlin said there will be a VAWA addendum added to the leases. Tornatore had suggested that maybe the language could be broadened. Hamlin said that in regard to the length of the policy, HUD requires a detailed policy to be in place.

Chassee agreed with Wiley on approving the policy now. She said VAWA has been around since 1994. The next time it comes to the Committee, a copy of the Federal legislation should be attached which answers most of the questions. She knows that a number of jurisdictions, as well as HUD, have dealt with these cases and have policy and procedures in place. Keating said that the department can reach out to its counterparts throughout the Country.

Anderson said the County wanted to make sure victims were protected, but also wanted to make sure that the landlords were not burdened. The desire is to make sure these units are available, and people have places to live. Landlords need some protection as well.

On a Roll Call vote, all ayes, no nays, no abstentions, the motion was approved with the full understanding that this policy could be amended at any time.

RESULT: APPROVED [UNANIMOUS]
MOVER: Janice Anderson, District 5
SECONDER: John Berley, Addison Asst Village Mgr/Community Dev Di
AYES: Anderson, Bastian, Berley, Chaplin, Chassee, Grill, Krucek, Tornatore, Ungerleider, Wiley
ABSENT: Broder, Elliott, Grasso

B. Action Item -- Recommendation for Approval of a Conditional Commitment with DuPage Homeownership Center dba H.O.M.E. DuPage, Homestead Program, Project Number HM17-03, in the Amount of $107,514.00, to be used for Downpayment Assistance for Income Qualified Individuals.

Chan informed the committee that Jo Albert and Anne O’Dell with H.O.M.E. DuPage were in the audience to answer any questions. The amount of $107,514 in 2017 HOME funds were recommended to be provided for the downpayment assistance program. It is expected these funds will assist six more homebuyers through the course of this program year. In the past, a larger amount of funds was awarded over multiple years. To avoid repeated time extension requests, it was decided to provide enough funding for one year. If there is an increase in demand, HOME DuPage is welcome to come back to the
Committee to ask for additional funds.

Also mentioned was that the Department had reviewed the incredibly tight, low-income household market. This program will continue to assist households at 80% Median Family Income. For a household of four that would be up to $67,700. Even though other homebuyer products are loosening up, the County is keeping a responsible homeownership policy requiring a 5% downpayment, 660 credit score and home inspections. The County wants to make sure that households who use this program will maintain viability as a homeowner.

Wiley requested that the Committee be kept updated on the number of the low-income, first time homebuyers across the County.

On a voice vote, the motion passed.

RESULT: APPROVED [UNANIMOUS]
MOVER: Elizabeth Chaplin, District 2
SECONDER: John Berley, Addison Asst Village Mngr/Community Dev Di
AYES: Anderson, Bastian, Berley, Chaplin, Chassee, Grill, Krucek, Tornatore,
       Ungerleider, Wiley
ABSENT: Broder, Elliott, Grasso

6. OTHER BUSINESS
There was no other business.

7. ADJOURNMENT
Chaplin made the motion, seconded by Anderson, to adjourn the meeting at 12:28pm.

On a voice vote, the meeting adjourned.

8. NEXT MEETING DATE - SEPTEMBER 4, 2018