

**COMMUNITY DEVELOPMENT BLOCK GRANT
COUNTYWIDE PRIORITY SETTING COMMITTEE**

SUBCOMMITTEE FOR ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

PUBLIC HEARING

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE
(INCLUDING IMPLEMENTATION PLAN)

Wednesday, July 27, 2011
7:00 p.m.
Pickleweed Park Community Center
Teen Lounge (Room #9)
50 Canal Street, San Rafael

Attending:

Subcommittee Members

Supervisor Judy Arnold, Marin County Board of Supervisors
Vice Mayor Greg Brockbank, City of San Rafael

County Staff

Tanya Albert, Office of Supervisor Judy Arnold
Faera Taylor, Translator
Leelee Thomas, Marin County Community Development Agency
Roy Bateman, Marin County Community Development Agency

Members of the Public

Raphael Durr, Community Action Marin
Nicole Ely, Patch Media
Nancy Kenyon, Fair Housing of Marin
John Ortega
Sandra Ponek, Canal Alliance
7 members of Vecinos del Canal

Supervisor Judy Arnold opened the meeting at 7:15 p.m.

Faera Taylor explained that after each person speaks, she will translate into English or Spanish, as appropriate.

Supervisor Judy Arnold: This is the sixth public hearing about the Analysis of Impediments to Fair Housing Choice, the impediments to people being treated fairly when they seek housing. Our report to HUD is due in October. We're here to hear your comments on getting fair housing in Marin and what can make Marin a more welcoming community. What comments do you have on the Analysis of Impediments? What do you see as the barriers to fair housing choice? What do you see as opportunities to overcome those barriers?

Roy Bateman noted that, for the purpose of this hearing, fair housing means access to housing without discrimination.

Comments from community residents are in italics below. Barriers are shown in regular non-bold print. **Potential solutions are shown in bold print.**

BARRIERS AND SOLUTIONS

Rents are too high in the Canal neighborhood, maintenance is poor, some landlords don't return security deposits, and some landlords pass along utility costs to their tenants. In some cases, rents are higher in the Canal than in Kentfield.

In response to a question from Supervisor Judy Arnold about whether the landlords live here, one tenant said his landlord lives in San Francisco.

Vice Mayor Greg Brockbank: High rents are a different issue than housing discrimination.

Nancy Kenyon: If a landlord makes repairs for whites, but not for Latinos, that may be illegal discrimination.

Most Canal apartment buildings are managed by management companies. There are persistent problems with bugs, cockroaches, and repairs that are poorly made.

Vice Mayor Greg Brockbank: I'm here as a City Councilmember, but I am also a landlord-tenant attorney. There are many things you can do--you can complain to the City about habitability, use "repair and deduct" when you fix it yourself and deduct the cost from your rent.

Sandy Ponek: A woman with three children was told there were no vacancies. Then we called and they said they had vacancies. We referred the case to Fair Housing of Marin.

Nancy Kenyon: The standard is two people per bedroom, plus one more person.

Supervisor Judy Arnold: What would help?

As renters, we know who we pay rent to, but we don't know who owns the building. We suffer from cockroaches, rats, etc., and the buildings are kept dirty. How can we meet the owners?

Supervisor Judy Arnold: City or County could find out who is the owner of your building and then send the owner a letter.

Vice Mayor Greg Brockbank: The City inspects all apartment buildings. For building issues, tenants can complain to the City's Code Enforcement staff. For pest control issues, tenants can complain to County health officials.

There's a risk of retaliation by landlords when tenants complain about conditions.

Nancy Kenyon: Legal protection against retaliation is stronger if the retaliation is for a fair housing complaint than for a complaint about housing quality.

The turnout tonight is small, need more outreach for meetings like this.

Not enough information about what meeting sponsors do and what resources they have available.

Canal area is a ghetto.

Supervisor Judy Arnold: County could compile information about tenant rights and resources, which County could then provide to the Canal Alliance. If the tenants here give their contact information to the Canal Alliance, the Canal Alliance could send them that information.

Nancy Kenyon: Fair Housing of Marin has 3 bilingual counselors, and one of them is at the Canal Alliance once a week. We also have literature in Spanish.

Agencies need to do better outreach about available resources.

Windows leak, it's cold in winter, no insulation, wetness, poor condition of apartments. We complain, they just caulk with silicone. We have to deal with management companies.

Lack of education about resources, no outreach from City of San Rafael to its 23% Latino population. There is no outreach from the City of San Rafael to the Canal neighborhood; they rely on nonprofits. The City does not have a policy of integration.

Supervisor Judy Arnold: Could you get better housing in Marin outside the Canal, and, if so, are there barriers to moving?

Lack of bus transportation in other parts of Marin makes moving outside the Canal impossible.

We have to work or take care of the kids; we're not like white people who have the free time to go to meetings.

Should provide child care at meetings.

People are discouraged; they go to meetings, but nothing changes. So people don't attend.

Many of those who don't complain or attend meetings are undocumented; people who don't have papers are afraid.

Students at San Rafael High School could carry home information about tenants rights.

Vice Mayor Greg Brockbank: More information to renters about rights and resources related to housing complaints, including repairs. Pamphlets in Spanish. It's possible to file anonymous complaints about housing conditions.

Managers of buildings play favorites among tenants, even though we're all Latinos.

Sandy Ponek: Fair immigration laws would enable all these folks to drive, and to get better jobs.

If you say you live in the Canal, white people think badly of you and think you live there just because you're Latino.

Rents in the Canal area are \$200 higher than elsewhere in the County. Why is there no rent control in Marin?

Vice Mayor Greg Brockbank: Rent control can lead to worse maintenance and less development of rental housing.

Nancy Kenyon: Is there a chance of getting a "just cause for eviction" law adopted in Marin?

County should establish a committee of immigrants so they can continue to tell in their own voices what is needed.

Sandy Ponek: Another economic issue is car impoundments.

Vice Mayor Greg Brockbank: San Rafael Police Department is considering whether it should continue to impound cars of unlicensed drivers caught at drunk-driving checkpoints. There is no proportionality of punishment--a parking ticket is \$28, a moving violation is several hundred dollars, but an impoundment costs several thousand dollars. City gets state and federal grants for drunk driving checkpoints, but they end up mostly towing cars of unlicensed drivers. I've said I will no longer vote for grants unless they exclude towing cars of unlicensed drivers.

Why are there drunk driving checkpoints in the Canal, but not in San Anselmo or Fairfax? It's done against us; they know we will be caught.

Checkpoints are always in the Canal neighborhood.

Vice Mayor Greg Brockbank: Police establish checkpoints at the intersections where there are the most accidents. Most are not in the Canal.

Latino news said there will be a checkpoint every Friday in a Latino area. They catch more unlicensed drivers than drunks.

Police are hiding, looking at us. The police don't speak Spanish. Why do the police establish such a presence here on Friday nights?

In response to a question, Roy Bateman gave a summary of the Analysis of Impediments.

The County is out of compliance.

Landlords check social security numbers, want California ID, check references, and do a criminal background check. That's a barrier if you are undocumented. Connection between discrimination and affordability.

Supervisor Judy Arnold: We will present an implementation plan on how we can remove barriers to fair housing. We heard you say landlords charge unfair rents, don't maintain buildings, and discriminate against families with children, and that limited transit is an impediment to fair housing. **I can help refer complaints about cockroaches to the appropriate agency, and we won't ask for identification.**

Nancy Kenyon: Fair Housing of Marin can test to see if a landlord applies the same standards to non-Latinos. Most landlords are smart enough to not say anything obviously discriminatory, but if you get a feeling that there is discrimination, please call us. If you suspect that you are being treated differently by a landlord because you're Latino, please call us.

Supervisor Judy Arnold announced open time for matters not on the agenda. There were no speakers.

Supervisor Judy Arnold said that we would get tenant brochures to the Canal Alliance.

Raphael Durr: In most cases, Fair Housing of Marin won't sue.

Nancy Kenyon: We can file discrimination complaints with HUD. In very strong cases of obvious discrimination, Fair Housing of Marin can also file a lawsuit; we do this about three times a year.

Roy Bateman announced upcoming meetings on August 24, September 12, and October 11, as listed on the back of tonight's agenda.

The meeting was closed at 8:45 p.m.