

**WESTCHESTER COUNTY BOARD OF LEGISLATORS
COMMITTEE ON GOVERNMENT OPERATIONS
Joint Meeting with COMMITTEE ON LEGISLATION
February 19, 2008
MINUTES**

In Attendance:

GO Committee Members: Legislator Lois Bronz, Vice chair; Legislators William Burton, Peter Harckham, Judy Myers, Vito Pinto, Martin Rogowsky; Committee Coordinator: Barbara Arrington Dodds

LEG Committee Members: Legislator William Burton, Chair; Legislators Thomas Abinanti, Lois Bronz, Peter Harckham, Judith Myers, John Nonna, George Oros and Martin Rogowsky. Committee Coordinator: Steven Bass

Others: Westchester County Human Right Commission: Delores Brathwaite, Mayo Bartlett, Harry Bright, Joshua Levin, Shelley Klein; Building & Realty Institute: Jeff Hanley, Jerry Houlihan, Daniel Finger, Kenneth Nilsen; Westchester Residential Opportunities: Ann Selighsohn, Andrea Klausner; Law Dept.: Mary Lynn Nicolas-Brewster, Liz Chippollo, Mark Gleeson; Ken Belfer, Westhab; Dennis Hanratty, Mt. Vernon United Tenants; Karen Tannenbaum, Westchester Residents Against Income Discrimination; Lisa Buck, The Bridge Fund; David Schwartz, Working Families Party; Karen Schatzel, League of Women Voters of Westchester; Robert Norrington, U.S. Dept. HUD; Carol Cuidigriale.

Item for Discussion:

- Proposed Source of Income Discrimination legislation.

Guests: Delores Brathwaite, Executive Director, Westchester County Human Rights Commission; Karen Tannenbaum, Westchester Residents Against Income Discrimination (WRAID), Dennis Hanratty, Mt. Vernon United Tenants and Teresa Miller.

With a quorum present, Legislator Bronz opened the meeting as acting chair, at 1:30 pm. She introduced Dennis Hanratty and Karen Tannenbaum to talk about **source of income discrimination in housing**. Mr. Hanratty said he and several other non-profit leaders have been working on this for two years now and he expects it is going to be law in New York City shortly. It's a law that is of no cost to the taxpayers and other states around us have it.

Ms. Tannenbaum provided "Source of Income Discrimination in Westchester: A Major Problem with an Effective Inexpensive Solution," a paper prepared for this meeting (on file). The proposal would add to the Westchester County Human Rights Law a section enabling authorities to enact local laws prohibiting discrimination based on an individual's status as a Section 8 voucher holder. She pointed out that this law would prohibit owners, lessors or managing agents from refusing to sell, broker, appraise, lease, continue to rent, etc. because of a person's source of income. Source of income means any lawful source of money, paid directly or indirectly, to a renter or buyer of housing, including income from: earnings, government or private assistance, gifts or other lawful benefit, sale of any property, and including Section 8 vouchers, child support, alimony, etc.

She introduced Ms. Miller who spent ten years on a Section 8 waiting list. Her landlord for two years signed the request for tenancy approval but delayed signing the Section 8 contract causing her voucher to expire. She was evicted when the landlord sued for the Section 8 rent and she was unable to pay the entire amount. She currently has a legal suit through Legal Services of Hudson Valley to force the Section 8 office to restore her voucher. Other tenants report difficulties in ETPA buildings that are rent controlled. A landlord's decision to not accept vouchers or eviction prevention funds will cause tenants to fall behind in rent. DSS will provide a subsidy to use a broker only after tenants get turned down 30 times. Among jurisdictions that

prohibit source of income discrimination are Nassau County, NY; Cook Co., IL; Frederick Co., MD; Howard Co., MD; King Co., WA; Montgomery Co., MD; Prince George's Co., MD; and New York City (passed in early February 2008). The enforcement would be through the Human Rights Commission. There is some backlash from landlords initially but they get used to it pretty quickly. If a prospective tenant does not find an apartment within 180 days, the tenant loses the voucher. This is a major problem in Westchester. Landlords can refuse to sign to keep renters in the apartments even when there are resources available.

Leg. Burton questioned whether HUD had legislation that addressed this. Ms. Tannenbaum said that no, HUD does not address this problem specifically. Leg. Bronz asked for copies of legislation from other counties. Leg. Pinto asked why landlords would not accept money for eviction prevention money from DSS. Landlords don't want to disclose some of the required information. Leg. Harckham asked for the names of the other two agencies mentioned on page 12 that enforce Massachusetts' housing discrimination statute and whether we have comparable entities in Westchester that might be alternatives to the HRC. Ms. Tannenbaum agreed to find out. The Westchester County Section 8 Office asks for all sorts of income verifications, they do a criminal background check, require a letter of good conduct from the police, want to know who is in the household, require an income tax return and proof of all assets. Kenneth Nilson said many landlords veer away from Section 8 renters because of the difficulty in removing them if there is a problem. Mr. Hanratty said that landlords can always evict for cause.

Leg. Bronz indicated that there will be further discussion on this topic in subsequent meetings.

Joint Meeting With Committee on Legislation:

Fair Housing Law: Proposed local law amending the laws of Westchester County to adopt the Westchester County Fair Housing Law.

With a quorum present, Leg. Burton opened the Committee on Legislation meeting to continue the discussion on the Local Law amending the laws of Westchester County to adopt the **Westchester County Fair Housing Law**. The general purpose: The Human Rights Commission seeks to participate in the Federal Fair Housing Assistance Program (FHAP) administered by the United States Dept. of Housing and Urban Development (HUD). Under FHAP, HUD provides grants annually to State and local fair housing enforcement agencies that provide substantive rights, procedures, remedies and judicial review provisions that are substantially equivalent to the federal Fair Housing Act. The Local Law would amend various provisions of the Laws of Westchester County with respect to fair housing so that they are equivalent to the federal Fair Housing Act in order to obtain certification by HUD. (From the Summary on file).

Leg. Harckham said that timing had been an issue in the previous discussion relating to a HUD-funded training seminar that is only offered every two years. He asked Ms. Brathwaite what the cost to the County would be for the training. She said the five week training in Washington DC required three or four people to attend so it would be costly and would have to be funded from the start up funds from HUD. Leg. Harckham said it would be helpful to quantify the cost. Ms. Brathwaite said the \$120,000 given on an annual basis for fair housing and can be used however the commission sees fit whether it goes to fund training, staffing or equipment.

After detailed discussion, the Committee members requested comparisons between federal law, WC current law, and the proposed law. A follow-up meeting will be held next week. A motion to adjourn the Committee on Government Operations was made by Leg. Bronz, moved by Leg. Pinto and seconded by Leg. Myers. A motion to adjourn the Committee on Legislation was made by Leg. Burton, moved by Leg. Rogowsky and seconded by Leg. Abinanti.