

City of Cambridge

HOUSING COMMITTEE MEMBERS

In City Council September 24, 2001

Councillor Jim Braude, Chair
Councillor Kathleen L. Born
Councillor Henrietta Davis
Councillor Marjorie C. Decker
Vice Mayor David P. Maher

The Housing Committee conducted a public meeting on Tuesday, August 7, 2001 at 4:00 p. m. in the Ackermann Room.

The purpose of the meeting was to conduct a roundtable-working meeting with representatives of tenants and owners of Fresh Pond apartments and regulatory agencies to follow up on the prior hearing on the condition of the housing and related matters.

Present at the meeting was Councillor Jim Braude, Chair of the Committee, Councillor Henrietta Davis, Representative Alice K. Wolf, Darcy Jameson, Director of Housing for the Community Development Department (CDD) Maurice Barry, HUD, Richard Henken, Executive Vice President of Schochet Associates, Inc., Carol Eades, Expiring Use Tenants Committee, Elaine DeRosa, and Bob Feldman, CEOC, Susan Hegel, Attorney for Cambridge and Somerville Legal Services (CSLS), Elaine Brooks, Whitney Cooper and Joe Hughes, Mass Housing, Terrence Smith, Chief of Staff, Mayor's Office and Donna P. Lopez, Deputy City Clerk. Also present at the meeting was Patricia Casola, tenant and President of the Fresh Pond Tenants Association and Kenneth Walden, tenant.

Councillor Braude opened the meeting and gave an overview of the previous meeting. He stated that he has received letters from tenants of the Fresh Pond Apartments both critical and supportive of the management. He stated that the goal of this meeting is to discuss the next step to get all parties together quickly to communicate on an on-going basis and work out their differences as they arise. There is a need for new oversight and relationships as well as a public forum for all to discuss issues. He hopes that some long-term outcome will be reached. He asked the attendees to outline their goals.

Elaine DeRosa stated that information about the building should be shared with all parties. This fosters communication. Tenants, she said, want to have a safe environment. Living at Fresh Pond is a different reality.

Patricia Casola stated that she wanted a better inspection process to include tenants and a better comprehensive inspection by MFHA who are hired by HUD. "Reap" inspections should include tenants and need to be done more extensively including health and sanitary code inspections. Inspections, she said should be conducted on occupied units.

Richard Henken stated that the goal is to provide safe and affordable housing.

Darcy Jameson stated that the use agreement was signed a year ago. The city wants to backstop the tenants. The city will continue to support the residents to meet the quality of life issues.

Maurice Barry stated "reap" inspection has its own process that that there is no way to control these inspections.

Councillor Braude asked about the rationale for inspecting vacant units. Ms. Brooks responded that to ensure that a unit is vacant and the progress in turn over on vacancy units, a notice regarding the inspection is sent to the housing development to be posted. Ms. Casola stated that the inspection notice was received. The owner wanted to cancel the inspection. This created a confusing situation, she said. The inspection was done. Tenants, she said, want to be involved in the inspections. Councillor Braude stated that this is yet another communication breakdown issue. Mr. Barry informed all attendees that HUD has scheduled an inspection on August 28, 2001. Councillor Braude asked if tenants could participate. This information is in the notice letter said Mr. Barry.

Kenneth Walden stated that tenants need to know who to get in touch with at HUD when there is a problem. Councillor Braude stated that a more regular predetermined forum could provide a place to answer such questions. An open door environment may not be enough considering the power differential between an owner and individual tenants. Councillor Braude suggested regularly scheduled meetings between tenants and management to discuss issues. Mr. Henken agreed. Councillor Braude hoped that Mass Housing would participate in these regularly scheduled meetings. He further stated that the agenda should be agreed upon well in advance of the date of the meeting.

Councillor Davis stated that she concurred with Councillor Braude's suggestion of regularly scheduled meetings. Tension will be eliminated between owners and tenants. She urged getting the communication piece worked out then other issues can be worked out.

Ms. Jameson stated that there has been conversation for over one and a half years about regularly scheduled meetings. She asked how do we literally get these meetings scheduled. Councillor Braude stated that this question would be answered at this meeting.

Councillor Braude now proceeded to discuss the issue of the flow of information.

Elaine DeRosa suggested streamlining this process and that tenants be included in the process.

A discussion ensued regarding the accessibility of information to the tenants. Councillor Braude asked how could a Freedom of Information (FOIA) request be done on an inspection that is done to buildings where tenants are occupying the units. Mr. Barry responded that if tenants request information the request would have to be sent to Real Estate Assessment Center (REAC). Mr. Henken stated that only Ms. Jameson could share public records. Councillor Braude asked that if Ms. Jameson finds that she is not violating any law could she disseminate information. She stated that she would

check on this matter. Mr. Henken stated that only under horrific circumstances are notices done on non-HUD buildings and if the Board of Health does an inspection.

Representative Wolf stated that condition reports should be sent to CDD or to the library for easy access for the public. These documents should be public records and have a specific place where these records are to be filed.

Councillor Braude stated that the City Council also does not get this information. Fresh Pond Apartments hold large interest for the City Council because it is a major affordable housing base. The Housing Committee should get copies of these reports. Ms. Jameson stated that she would check on this issue. Mr. Henken stated that this is an issue of waiving the public records law. Councillor Davis stated that the management office could make this information available to the public on the bulletin board. The more information the public has the more open the process becomes, she said. Mr. Henken stated that he needs to understand what is legally a public record expressing concern about corporate financial information which Ms. Casola stated that the tenants had no interest in. Mr. Barry stated that submitter notices are sent to Mr. Henken. Mr. Henken needs to argue why these are not public records. Financial statements are different documents stated Mr. Barry. Councillor Braude stated that any other document falls under the public record category. Is anything FOIA-able, he asked. Mr. Henken stated that subject to legal restriction he has no trouble mailing available records. A request is needed for special documents said Mr. Barry. Councillor Braude asked Mr. Barry if Ms. Jameson sent a form letter for documents that are not private would he comply with the request. Mr. Barry responded that he would have to check with the legal department. He would check on this matter.

Ms. Casola stated HUD refused to supply documents because financial information was contained in the documents. She asked why she could not be given the results of the inspections only. Mr. Barry responded that he could supply the specific score information if this is the information she wanted. Ms. DeRosa stated that there are physical conditions in the building that need to be addressed. Ms. Brooks stated that sanitary conditions in individual occupied units should not be made public--this is personal and private. Representative Wolf suggested removing unit numbers from this information. Ms. DeRosa stated that the issue is getting access to the general information.

Councillor Braude asked if there is a notice or report available to persons who do not speak English. Mr. Henken stated that translation services are provided as needed. HUD notices should be translated and made available in their handbook.

Councillor Braude now proceeded to a discussion on the problems.

Ms. Casola listed the following problems:

- ◆ Tenants involvement and notice;
- ◆ The issue of asbestos;
- ◆ Inspectors need to know more about developments; and
- ◆ More communication is needed between inspectors and tenants.

Councillor Braude asked if there is a situation when HUD would not notify tenants of inspections. Ms. Brooks stated that the building is posted two weeks before the inspection.

Mr. Henken asked Ms. Casola if she notified the building manager about the asbestos. Ms. Casola responded in the affirmative.

Mr. Henken stated that all conditions would be remedied. Ms. Casola informed the committee that when her apartment was inspected she pointed out problem areas. She stated that she would supply a list of apartments that contain asbestos damage.

Mr. Barry stated that a notice was sent on July 30, 2001 to the Fresh Pond Apartments for a site visit on August 24, 2001. Ms. DeRosa requested more than the minimum time of seventy-two hours before the day of inspection.

Councillor Braude suggested that, if possible, more than the month threshold be given on the notice. Mr. Barry responded that the contract may state a time of two weeks before the inspection. Ms. Brooks stated that if too long a notice is given to the owners they can prepare for the inspections. This is not fair to the tenants. Councillor Davis stated that the notice be placed in the elevators in the building. Mr. Henken stated that in his experience he is being asked to do things above and beyond his responsibility. He stated that he wanted 6-9 months worth of meetings to develop good will. Ms. DeRosa stated that blind trust cannot be given. The tenants are being harassed. If a truce is what you want it has to be on both sides.

Kenneth Walden stated that he went to an official agency to get his apartment inspected. Mr. Henken stated that Mr. Walden should not be harassed and that he deserves decent housing. Ms. Cooper stated that she received a call from Mr. Walden to inspect his apartment. Councillor Braude stated that the monthly forums would help eliminate the tensions. Mr. Henken stated that he would investigate Mr. Walden's situation.

Councillor Davis stated that mediation could play a role to address individual problems. Councillor Braude suggested one permanent mediator who would learn about the building.

Councillor Braude asked when is a good time to start the monthly meetings. Mr. Barry stated that HUD and MFHA would not be involved in these monthly meetings. Councillor Braude stated these meetings are between the tenants and the building management and should be small monthly meetings. He further stated that he hoped that HUD and MFHA could come to the meetings if invited to address a specific issue. Ms. DeRosa suggested the third Tuesday of each month at 6:00 p. m. Two weeks before the meeting the topics of discussion should be jointly outlined, stated Councillor Braude. Ms. DeRosa stated that CEOC would send out the notices of the meetings. Mr. Henken stated that the first meeting would be held on Tuesday, September 18, 2001 at 6:00 p.m. at the Fresh Pond Apartment.

Councillor Braude thanked all attendees.

The meeting adjourned at 5:15 p. m.

For the Committee,

Councillor Jim Braude,
Chairman

010807.HousingCommitteeReport.FreshPondApts.

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For the Committee,

Councillor Jim Braude,
Chairman

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S-14 Cal 6

Committee Report #3

Committee Report from Councillor
Jim Braude, Chair of the Housing
Committee, for a meeting held on
August 7, 2001 to conduct a
roundtable-working meeting with
representatives of tenants and
owners of Fresh Pond apartments
and regulatory agencies to follow
up on the prior hearing on the
condition of the housing and
related matters.

*In City Council
January 14, 2002*

PLACED ON FILE

In City Council September 24, 2001

*Tabled on the motion
of Councillor Braude
In City Council
December 17, 2001,
Referred to 2002-2003
City Council on motion
of Councillor Decker*