



**Human Rights Commission
Meeting Minutes
Housing Committee Meeting
September 9, 2021
Virtual/Electronic Meeting
7:00 pm**

Public link to meeting rebroadcasts on Boxcast: <https://boxcast.tv/channel/vabajtzeuyv3iclkx1a>

Public link to HRC documents on Box: <https://app.box.com/s/xy3wnn2s1tj8h7trkknvd79bipyxezy>

1. WELCOME

- a. CALL TO ORDER
 - i. Chair, Kathryn Laughon, called the meeting to order at 6:05 pm
- b. ROLL CALL
 - i. Kathryn Laughon
 - ii. Mary Bauer
- c. MISSION (recited by all): *Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.*
 - i. Mission statement skipped.

2. MATTERS BY THE PUBLIC

- a. None

3. MINUTES

- a. None

4. BUSINESS MATTERS

- a. None

5. WORK SESSION

- a. Next steps regarding right to counsel in evictions advocacy
 - i. Mary talked to LAJC and National Coalition for Civil Right to Counsel (NCCRC)
 1. Seems that LAJC is being offered a \$300,000 contract for three years, which allows them to pay for the salary of one lawyer
 2. Covers 100 cases over the course of a year
 - ii. Also talked to Nancy Carpenter to say that HRC thinks additional advocacy is necessary because the offered amount is less than expected—she agrees
 1. **Mary and Nancy will schedule a time to talk soon**
 2. Mary expresses disappointment in the City's position on the fund
 - a. The City is currently offering \$100,000 per year, which is far from sufficient in providing representation to tenants in eviction proceedings
 - b. Originally, the NCCRC gave \$460,000 per year as a conservative estimate, but the City decreased it to \$300,000 and now \$100,000

- c. The year before the pandemic, there were about 700 tenants
- iii. Commissioner suggests doing away with “right to counsel” language
 - 1. Commissioner asks if an email to Council would be sufficient
 - 2. Not about scaling back their language, but scaling up their commitment
- iv. City said it would commit if the county committed, which it did not
 - 1. HRC can send a letter to the county as well, but this might not be useful
- v. Commissioner recommends making these funding issues public
- vi. Chair asks Mary if the Law School was planning to step up in the wake of the Merrick Garland statement
 - 1. Mary needs to confirm they are not doing anything besides LAJC already teaching a UVA Law School Housing Clinic
- vii. Mary had a conversation with Kristin Clarens who is having a difficult time generally placing cases
- viii. Mary asks OHR staff how to propose funding for the other kind of right to counsel
 - 1. City could create a pot of money to pay private lawyers at a reduced rate, but there would have to be some kind of system for ensuring the lawyers are competent in the relevant areas
 - 2. OHR staff talked to someone in Procurement about how one would go about setting up a legal representation fund for parties to a complaint
 - a. Questions to settle if it becomes more of a city program vs granted to a non-profit: Are contracted lawyers vendors with the city? Are people reimbursed for their cost or given money to find their own attorney?
 - 3. Think about flaws in the current system and ask for a dialogue to propose changes—reference the communities that have working systems
 - 4. Mary asked the NCCRC about experience with this kind of situation
 - a. They said generally, housing complainants would be represented by local fair housing entity—this does not happen here, but it does in other localities
 - b. OHR staff says the VA equivalent would be VA Fair Housing Office of DPOR, and the Attorney General’s Office provides legal counsel if the case goes through them at the state level
 - i. They are a Fair Housing Assistance Program (FHAP), and all FHAPs are required to provide counsel
 - ii. So City Attorney’s Office would be required to do the same unless contracted out
 - c. The Director is the fact-finder, the Commission upholds or dismisses the fact-finding, and then if upheld, the case goes directly to General District Court (or federal court if it is a FHAP)

- i. It is dual filing, so it could go both ways if it is through a FHAP
 - ix. Legal representation for parties to a complaint and a case going forward to court (there is representation in the City's interest) are two different things
 - 1. For the latter, they bring forth a suit on behalf on the individual, but they don't represent the individual
 - b. Kathryn asks how critical the evictions situation is going to be in Charlottesville, and what the HRC should be doing
 - i. Mary does not know what the numbers are, though VA has been doing well with giving out rent relief funding in comparison to other states
 - ii. This could be something to check in with DSA about to see if they are able to continue monitoring
 - 1. Kathryn can do this
 - c. HRC liaison to the Charlottesville Low Income Housing Coalition (CLIHC)
 - i. OHR staff has been emailing back and forth with Emily Dreyfus
 - 1. CLIHC wants representatives who identify as people of color and, ideally, someone who has had the lived experience of being a low-income tenant
 - 2. Told her that the HRC may not have someone willing who fits those criteria
 - 3. Mary suggests asking at the HRC meeting if anyone is willing to be the liaison
 - ii. Kathryn suggests asking if any CLIHC members would like to become new Human Rights Commissioners
 - 1. HRC applications should be live now
 - d. New business
 - i. Role that Commission can play in the conversation surrounding housing
 - 1. Neighborhood Association letters
 - 2. OHR staff says anyone can attend the meetings and make public comment
 - a. Kathryn has attended some meetings and worked in the planning session
 - 3. HRC could be writing formal letters to the planning commission and City Council
 - 4. Mary says the HRC can help change the discourse and explain how it is the language/policies of white supremacy
 - a. Could write a letter to the editor, write op-eds, have social media campaign, etc.
 - b. Question is what the most effective timing would be
 - 5. Would be good to do these things before the next Commission meeting to have something to show
 - ii. Rory could be someone to talk to about timing
 - iii. Kathryn is willing to write up a messaging plan to work off of

6. MATTERS BY THE PUBLIC

- a. No members of the public in attendance.

7. COMMISSIONER UPDATES

8. NEXT STEPS

- a. General next steps

- i. Talk to current CLIHC members to ask if any of them would be interested in applying to join HRC
 - b. Kathryn
 - i. Check in with DSA about monitoring of evictions situation
 - ii. Talk to Rory about timing of HRC business with housing situation
 - iii. Write up a messaging plan to work off of for the next HRC meeting
 - c. Mary
 - i. Talk to Nancy Carpenter about right to counsel
- 9. **ADJOURN**
 - a. Meeting adjourned at 7:29 pm