



# INTERAGENCY COMMISSION ON HOMELESSNESS

Housing for all = A Stronger Montgomery

[www.montgomerycountymd.gov/homelessness](http://www.montgomerycountymd.gov/homelessness)

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Virtual Zoom Webinar Meeting Minutes

Wednesday, December 9, 2020 | 3-5p

**Members** (Present or Represented)

Bohorquez, Margarita  
(representing Ruschelle Reuben)  
Buckland, Victoria  
(representing Raymond Crowel)  
Chesney, Amanda  
Demarais, Frank  
(representing Aseem Nigam)  
Glass, Evan  
**Goldman, Jeff (Chair)**

Habte, Asmara G.  
Harris, Amanda  
**Johnson, Ebony (Vice Chair)**  
Kauffmann, Louise  
London, Sharan  
Seidel, Stan  
Sinclair-Smith, Susie

**Members** (Absent)

Spann, Stacy  
Roynestad, Brian (excused)  
Zucker, Craig

**Presenters:**

Gies, Mary  
Lewis, Robin  
Vitale, Frank

**There were 110 guests attending this meeting.**

**WELCOME | REMARKS** (Jeff Goldman)

Jeff opened the meeting with welcomes and expressed the need to reflect on all the important work of the Interagency Commission on Homelessness (ICH) and the support we provide to those experiencing homelessness.

**Review and Approval of the September 30 minutes** (Ebony Johnson)

Stanley Siedel motioned to approve the minutes and Susie Sinclair Smith seconded. The September 30 meeting minutes were approved unanimously.

**Committee Updates:**

**Strategy and Planning Committee** (Sharan London)

Sharan reported that the Strategy and Planning (SP) committee has reviewed all the proposed changes to the Strategic Plan submitted by the Committee Chairs from the various committees. At the February ICH meeting, the SP Committee will present a report of the changes to the entire ICH.

**Partnership and Funding Committee** (Mary Gies)

Mary shared that a priority of the Partnership and Funding (PF) Committee workplan is to identify and agreed on a shared vision for local government agencies that would help to further the objective of one funding application for homeless assistance provider. For example, creating an across-the-board streamlined contract and application for all emergency shelters and aligning providers by building clearly stated funding priorities. To that end, a letter of commitment has been drafted for consideration by the ICH. This document focuses on the ICH Strategic Plan. The share vision of the letter of commitment will further demonstrate the Continuum of Care (CoC) cohesive strategy and keep government and providers engaged in that strategic process. The PF Committee asked for feedback from ICH members on the proposed letter of commitment before the document is presented for vote by the ICH.

The PF Committee has been moving forward toward launching Housing is Healthcare Fund which will mobilize the private sector and healthcare partners to join the efforts in promoting housing and health for all. These private dollars would be a flexible source of resources. The PF Committee has had productive conversation with the Greater Washington Community Foundation about establishing their foundation as a home for the funds.

**COVID Response Updates:**

## **Evictions** (Frank Vitale, Maryland Legal Aid and Captain Robin Lewis, Sheriff's Office)

Captain Robin Lewis reported that currently there are 56 eviction writs issued by the courts (23 hearings are scheduled from now and the end of January). There will be no evictions during the holiday time (Dec 21 and Jan 1). Six of the writs will be on hold until Dec 31 because of the CDC Federal Residential Eviction Ban in place until December 31. The courts are not currently hearing any failure to pay rent cases. From now until January 15 the courts are only hearing emergency cases: tenant holding over, breach of lease, forceable entry detainer, rent escrow cases and other emergency type case.

Frank Vitale shared that the courts have moved back to Phase 2 of 5 phases and are not hearing any "failure to pay rent" cases. An estimated 9-12 "emergency cases" are being heard a week. It is anticipated that the non-emergency cases will be looked at in March or April. There is the possibility that the eviction moratorium will be extended to March 31.

### Types of evictions:

- *Rent escrows case*-is a legal remedy that allows a tenant to pay his or her rent to the District Court when a landlord fails to correct conditions in a rental property which present a threat to life, health, or safety. It also allows the Court to terminate the lease, order that the amount of the rent due be reduced or order the landlord to correct the conditions
- *Failure to pay rent*-action against a tenant when rent is overdue
- *Breach of lease*-action against a tenant when the tenant violates a policy contained in the lease
- *Tenants hold over*-action against a tenant who did not vacate the property by the date on the notice to vacate, whether given by the tenant or the landlord. Month-to-month tenancies are vulnerable to the action of tenant hold over by landlords.
- *Forceable entry detainer*-action served when the landlord is alleging that the tenant has stayed in a property without permission (i.e., a foreclosure or evicting an adult child).
- *Self-help eviction*-an eviction without a court order when a landlord installs new locks, shut off utilities and place tenant's belongings on the curb.

Trends: There has been a trend in landlords citing "tenant hold overs" as an end around to other types of cases (increasing from representing in July 10-20% to in November 50-70%). It is believed that landlords' attorneys are recommending this course of action to have the cases heard in court quicker than "failure to pay rent" which is being halted by the CDC Eviction Ban.

Concerns: A major concern of Maryland Legal Aid is an up-tick "self-help eviction." Self-help evictions are limited and illegal in Maryland. Even though there are tenant civil remedies, the court actions are limited and slow.

Important Point: Frank stated that the important point to remember is that even though the courts are looking at few eviction cases currently, there is still a major housing crisis. Due to COVID-19 many primary breadwinners have passed or one of two people on fixed income have passed; leaving residents to have to leave their homes or not being able to afford to pay rent that they could afford a year ago. Everyone is doing the best they can to help those facing homelessness due to the pandemic but there is more work to be done.

## **Rent Relief Program** (Ilana Branda)

Ilana reviewed the COVID Rent Relief Program [MC ICH December 9 Presentation Slide 6-12](#).

- The Program funded with Coronavirus Relief Funds (\$21 million)
- Maximum benefits of \$4,000 for rent arrears and future rent credit.
  - The average rent reported is \$1,416 with the average rent owed \$3,360 which the maximum benefit of \$4,000 covers.
- Eligibility Criteria
  - 60% AMI or below
  - Paying more than 40% of income toward rent

- COVID related income loss
- At least one month behind in rent
- Montgomery County resident since at least February 2020
- The application portal closed on December 2 at 5p with over 9,000 applications (1,500 applications were denied because they did not meet the eligibility criteria).
- SEPH issued conditional approval letters to residents stating that they were approved for the rent relief and needed to send additional documentation.
  - SEPH will approve and issue 150-200 checks per week of the additional \$15 million of rent relief to residents after the CDBG deadline of December 31.
  - SEPH is supporting rapid resolution and exit from shelter by providing shelter residents first month's rent, security deposit and some future rent payments.
- Review the [Homeless Prevention Index](#) which is being used to target outreach to neighborhoods most in need. About half of applicants live in the target "high need" census tract.
- Lessons learned:
  - Applicant process should be simple with limited documentation requirements
  - Available to households in both formal and informal housing arrangements
  - Targeted outreach to properties with high eviction and turnover rates
  - More meaningful engagement of properties owner to assist with application process
  - Need longer term housing subsidies for households with no or very minimal income (12-18 months of assistance)

### Homelessness (Amanda Harris)

Amanda reviewed the COVID Impact on Homelessness [MC ICH December 9 Presentation Slide 14-16](#).

Amanda's shared information that focused on single adults experiencing homelessness. There has been no increase in family homelessness. In fact, the numbers are the lowest they have ever been.

- *Rapid Exits*: The best way to keep people healthy, safe and reduce the spread of COVID-19 is to connect people with permanent housing. To that end, SEPH is connecting people to Rapid Exit through CRF by providing first monthly's rent, security deposit and 4-6 months' rent credit.
- *Direct Cash Assistance*: The Exit Bonus program provide direct cash assistance to those exiting shelter. Letting those experiencing homelessness make the decision on how to use the funds to solve their housing emergency.
  - This is based on program done in Vancouver where most people who received the cash assistance were able to secure housing faster, stayed out of homeless system, have better food security, employment, and self-esteem
- *Added More Units*: Added 34 units of permanent support housing
  - Applied for additional slots from the State Medicaid Waiver Pilot which added 20 unit
  - County Council has appropriated funds for 14 units of PSH for those who are unsheltered and disengaged so we can use master leases to reduce barriers to housing
- *Expanding Rapid Rehousing*: Using the Emergency Solution Grant/Cares Act funding to expand RRH slots with the goal is to add 300 units of Rapid Rehousing over the next 2 years.
- *Reduce Inflow into Homelessness*:
  - The hope is that the resources being put into the Eviction Prevention will have a direct impact on people entering homelessness.
  - Implementing a Centralized Shelter Intake/Division for Single Adults – goal to divert at 25% of those seeking shelter.
  - Partnering with other systems of care to prevent entry to homelessness (i.e., jails, discharges from hospitals, substance abuse programs, residential rehab programs). Shelter is not a discharge plan or a default behavioral health system.

Despite the efforts, the impact of COVID-19 is resulting in an increase in people seeking shelter. The County Shelters are at capacity and the hotels are reaching capacity. As weather gets colder, we are increasingly concerned about what to do to keep housing people and ensure that people are not sleeping outside. To reduce shelter space, we have increased our COVID-19 testing efforts and eliminated quarantining new intakes at the shelter.

#### **Legislative Update** (Councilmember Evan Glass)

*Youth Drop-in Center:* CM Glass reported that in the next month or so, one of the County's youth serving non-profits will open a Youth Drop-In Center facility where disconnected and LGBTQ youth will be able to find a space (not a shelter) to seek some comfort, care, and camaraderie.

*Master Leases* are an innovative model to push the boundaries to open doors and provide people with housing. CM Glass reported that he pushed through Council the master lease model to help Bethesda Cares engage in a new type of program to serve renters and provide apartments to their clients experiencing homelessness.

*Council's allocation of \$1M:* Yesterday, the Council allocated and approved \$1M for capital improvement costs to support the County securing additional permanent facilities for shelter.

*Increasing Shelter Availability:* This morning, CM Glass convened a meeting of County staff (DHHS, DGS, County Council and Department Heads) to discuss how to accommodate people who need shelter (overnight and during the day). The Council will discuss the need for shelter next week. Due to the pandemic, the typical daytime facility where people experiencing homelessness found shelter are closed (libraries, recreation centers and coffee shops). The option for individuals during the daytime has decreased dramatically. This morning's discussion was a beginning of the conversation and brainstorming. CM Glass assured the ICH that he will report back with next steps.

*Housing Justice Act:* Yesterday, CM Glass introduced the Housing Justice Act Bill co-sponsored by CM Sidney Katz. Housing is a basic right and the Bill's aim is to make housing policies, fair, just, and equitable. The Housing Justice Bill will address the housing barriers for people who are homeless and those who have served time. The Act is supported by the Montgomery Chapter of the NAACP because they understand the history of discriminatory housing policies and the cycle of poverty.

- What type of crimes will be excluded from the rental application process? The types of citations that will not result in a rejection of an application are: Petty Theft, Open Traffic Warrant, Loitering, Indecent Exposure, Public Urination, Open Containing and Possession of Marijuana.

#### **Governance Charter** (Amanda Harris)

Amanda reviewed the COVID Impact on Homelessness [MC ICH December 9 Presentation Slide 18-21](#).

The ICH is the governing body of the Continuum of Care (CoC). The CoC is all of us working together to end homelessness. The Governance Charter guides our work. The Charter must be reviewed and updated annually. In July, the new ICH legislation was passed, and we must make sure that our Governance Charter is aligned with the new legislation.

In November, the ICH Governance Committee reviewed and updated the Charter. Today, the full ICH Commission will discuss and endorse the Charter. In January, CoC members will review and vote to adopt the changes.

**Motion** to approve the Governance Charter. Sharan London moved to adopt the Governance Charter with Louise Kauffman seconded the motion. The motion was carried unanimously.

#### **Highlights of the Annual Report** (Amanda Harris)

Amanda reviewed the 2020 Annual Report [MC ICH December 9 Presentation Slide 23-33](#).

- *Veterans Homelessness* was ended in Dec 2016 and the County maintains its functional zero number of 6. Currently, there are 9 veterans experiencing homelessness.
- Montgomery County has housed 430 individuals experiencing *chronic homelessness* (individuals with disabilities). A year ago, we switched our prioritization and have since housed about 100 individuals through our PSH program who do not meet the definition of chronic homelessness but are vulnerable adults. Currently there are 7 people on the by-name list who meet the definition of chronic homelessness.
- The County's goal was to end homelessness for *families with children* by the end of 2020. Currently, we have 23 families in the homeless system which is the lowest number in recent history. We have empty beds in our homeless shelter. Families are being housed through our rapid rehousing, eviction prevention and homeless prevention programs.

#### Funding Recommendations:

- Increasing the supply by funding the development of deeply affordable housing to extremely low-income families (those below 30% of area median income) who do not have high service needs.
- Provide \$4 million in funding for the County Rental Assistance Program to allow an increase in the maximum rental subsidy amount so that it is equal to 25% of Fair Market Rent.
- Provide \$2.4 million in funding to increase Rapid Re-housing by 200 units to better serve households that are currently employed or employable.
- Increasing the capacity of the CoC to develop a robust CES that is aligned with HUD policy by funding additional street outreach workers and coordinated entry staff to conduct assessment and data analysis.
- Provide \$1.5 million in funding for 60 units of permanent supportive housing to meet the needs of vulnerable adults to sustain the success of the Inside (not Outside) Initiative on ending chronic homelessness.

#### Legislative and Regulatory Changes:

- Enact "ban the box" legislation
- Support "just cause" eviction legislation at the state level
- Advocate that HOC review eligibility criteria on criminal backgrounds and rental history
- Develop an independent pathway to investigate housing discrimination and illegal practices at housing complexes that is not client driven
- Support changes to the Rental Assistance Program to better target resources
- Require participation of all housing providers in Coordinated Entry

**Motion** to approve the Annual Report. Susan Sinclair-Smith moved to approve the Annual Report. Amanda Chesney seconded the motion. The motion was carried unanimously.

#### Announcements:

Amanda reported that Public Health Service Area is planning to vaccinate those experiencing homelessness. People who work at shelters and residents are being prioritized to receive the vaccine.

**Next meeting:** ICH Full Commission meeting Wednesday, February 3 at 3-5p via Zoom platform.

#### Adjournment