



**Human Rights Commission
Meeting Minutes
Regular Meeting
July 18, 2024
City Space, 100 5th Street NE, Charlottesville, VA 22902
6:30 pm**

Click [HERE](#) to access rebroadcasts of past Human Rights Commission meetings on YouTube.

Click [HERE](#) to access an archive of past Human Rights Commission work on the City website.

1. WELCOME

- a. CALL TO ORDER
 - i. Chair, Ernest Chambers, called the meeting to order at 6:33 pm
- b. ROLL CALL
 - i. Ernest Chambers
 - ii. Wolfgang Keppley
 - iii. Mary Bauer
 - iv. Suzanne Lynn
 - v. Heather Roberson-Gaston (participating via Zoom)
- 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.*

2. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT
 - i. None
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. None

3. MINUTES

- a. Review of regular meeting minutes from 5/16/24, work session minutes from 6/6/24, regular meeting minutes from 6/20/24, and special meeting minutes from 6/27/24
 - i. No requested changes
 - ii. Ernest makes a motion to approve all four sets of minutes
 - 1. Suzanne seconds
 - iii. Vote
 - 1. In favor: 4
 - 2. Opposed: 0
 - 3. Abstained: 1
 - iv. Motion to approve minutes passes

4. BUSINESS MATTERS

- a. CHAIR UPDATE
 - i. Attended Healthy Streets Healthy People event with HRC Vice Chair that the OHR Outreach Specialist was tabling
 - ii. There is a new vacancy on the Commission; members of the public who are interested in joining the Commission may fill out an application on

the City's website by 7/31 at 5pm

b. OHR STAFF REPORT

i. Outreach Specialist

1. Hosting Disability Pride Month Trivia on 7/25 at Firefly
2. Some larger festivals are coming up (date listed in packet); let Lily know if interested in volunteering, as they are long, busy days

ii. Director

1. Presented Ordinance amendments to City Council on 7/15/24
 - a. Director will be present again on 8/5/24 to field any further questions and witness Council approval, after which the OHR may proceed with the FHAP process
2. Application deadline was 7/15/24 for the Intake Specialist position
 - a. 58 applications
 - b. Goal is to hire in August
3. Commissioner asks about current service provision trends
 - a. There were somewhat fewer contacts in June; unsure as to why
 - b. There is a mix of protected activities
4. OHR Intern's last day is 7/26/24 after serving in this position since summer 2021

5. WORK SESSION

a. Legislative Priorities Panel

i. Chair asks Mr. Deeds to share the current status of specific recommendations that City Council raised last year:

1. Expand one-cent local sales tax increase
 - a. Passed the House and Senate, but was vetoed because the governor opposes tax increases
 - b. Governor Youngkin vetoed 201 bills this year
2. Continue funding Virginia home temporary assistance for needy families (TANF) programs
 - a. It got funded, but perhaps not to the ideal extent
3. Salaries for members of local governing bodies
 - a. Passed and signed
4. Funding for regional transit authorities
 - a. Some was funded but not enough
5. Amend land use ordinance advertisement laws that unduly restrict Council's ability to deliberate
 - a. Unsure of this one
6. Allow greater flexibility for all-virtual meetings on boards and commissions
 - a. There is significant opposition on both sides; there have been efforts to give local governments more freedom in making these laws, but they have not passed
 - b. Note: Bill allowing for a greater number of virtual meetings was passed (SB 734/HB 894)
7. Increase affordable housing accessibility by enhancing tenant rights

- a. Some people would say that tenant rights have advanced, but others would say they have not advanced enough
 - b. As Chair of the Committee on Commerce & Labor, Sen. Deeds explains they drafted a bill to require landlords to give extra notice before or prevent cutting off utilities, even when a tenant has not paid for a service
 - i. It was passed, but there is likely more work to be done
- ii. Laura Dobbs, Director of Policy, Housing Opportunities Made Equal of Virginia (HOME)
 - 1. HOME is a Fair Housing Initiative Program (FHIP), a non-government entity that helps enforce the Fair Housing Act at the state and federal levels
 - 2. Assists individuals with housing navigation, complaints of discrimination, filing litigation, and other systemic housing-related subjects
 - a. Only program in Virginia to assist those with a housing choice voucher through the Richmond Redevelopment and Housing Authority
 - 3. There was a record number of pro-housing bills this past session that had bipartisan support, but many of the bills were vetoed by the Governor
 - 4. Is concerned about barriers to housing access, especially for those with housing choice vouchers
 - a. Even though source of funds is now a basis of discrimination in Virginia law, landlords still find ways to subvert protections
 - b. Disability is the highest protected class, source of funds is second, then race
 - c. When someone denies someone based on their valid source of funds, it also goes with a different protected class, like disability or race
 - 5. Landlords today are often using third-party platforms to conduct tenant screenings/consumer reports
 - a. They make decisions on factors like credit scores, which should be an indication of borrowing power rather than ability to pay rent
 - i. There is racial bias in credit scores
 - b. Requiring people to make three times the amount of rent to qualify for a unit
 - i. Many landlords are calculating voucher holders' incomes incorrectly—basing this number on total amount of rent instead of tenant's portion
 - ii. There should be more outreach to landlords about protections and how they apply
 - 6. Other barriers include application fees; landlords have tenants submit separate applications for which they are allowed to charge a nonrefundable \$50, and also out of pocket expenses

- a. Landlords pass on the cost of having a consumer report
 - i. There are also hold fees that are supposed to secure a unit while tenants apply
 - b. Having to apply to multiple places with a voucher and pay their nonrefundable fees is a huge financial burden, which can cause tenants to lose their vouchers because they are unable to pay on time
- 7. Del. Callsen co-patroned a bill requiring more transparency in the tenant screening process (ex. listing minimum criteria before beginning application process; providing reasons for a tenant's denial), but it was vetoed
 - a. There is a federal law that requires listing reasons for a denial of loan etc., but it does not apply to housing, so tenants are being denied because of their consumer report without specificity
 - b. Accessing the consumer report to help tenants is logistically very difficult
- 8. In previous years, there were efforts to limit application fees (if a tenant worked with a housing counseling agency, they would not have to pay the application fee), but this bill never made it out of committee
- 9. Another big barrier is security deposits
 - a. Under current law, landlords are charging two months' rent for security deposits
 - i. Some adjust based on credit score and make people with lower credit scores pay a larger deposit in addition to other fees
 - b. There could possibly be a fund for voucher holders' security deposits that landlords could pull from if there is damage after a tenant moves out
 - i. Other places have seen a low usage rate, indicating landlords do not often need to keep the security deposit
- 10. Other issues for voucher holders:
- 11. They are denied units/denied rent renewal because they received relief during the pandemic
- 12. Issues with current payment standards for voucher holders (rent is higher than what their voucher covers)
- 13. Vouchers only usable within the jurisdiction they were required, which limits people's opportunities for jobs and schools (ex. Charlottesville voucher holders cannot live in Albemarle)
- 14. Tenant displacement is big issue
 - a. Now, some landlords only give a 5-day grace period after rent is late
 - b. There was 14-day payer quit during the pandemic, and efforts to make this permanent have been vetoed
- 15. There are not enough subsidies to help people pay their rent
 - a. 5000 Families program is a state voucher program specific to families with children that did not receive

- funding
 - b. Number one risk factor for facing eviction is having a school-aged child; second is race
- 16. Retaliation efforts—it is harder for tenants to prevent landlord retaliation in Virginia
 - a. Current law only protects against landlords threatening to evict or actually evicting tenants; it does not cover harassment or other forms of eviction (and the tenant needs to prove intent)
 - i. Intent would have to be very clear, like a discriminatory email
 - ii. Non-lease renewal is not retaliation if the landlord does not give a reason
 - b. Makes tenants afraid to bring up poor conditions about their units
- 17. Preventing homeowner displacement
 - a. Called low-income owner occupant property tax relief
 - b. Would require localities to provide tax relief to low-income homeowners (more difficult because it would be a constitutional amendment)
 - c. There is already authority to provide tax relief to the elderly, people with permanent disabilities, and people whose spouses have fallen in service
- 18. Commissioner asks how to get landlords to be more ethical
 - a. HOME clients with vouchers often have more success with smaller-scale landlords renting out single-family homes
 - b. Have strong legislative protections that are enforceable
 - c. Commit more resources to fair housing education and outreach (but the person must want the training)
- 19. Commissioner asks whether lawyers representing tenants in eviction cases would strengthen outcomes
 - a. Highest percentage of tenants having attorneys is 2%, while 60-86% of landlords have attorneys
 - b. Places that have implemented private right to counsel have seen decreased evictions and eviction filings (shows landlords are less likely to evict if the tenant has right to an attorney)
 - c. Eviction is being used a rent collection method or coercion technique
 - d. More attorneys also mean more opportunities to interpret existing case law and add to/improve upon it
 - e. This being said, attorneys need functional laws to interpret
- 20. Commissioner asks what strategies have been most successful for clients experiencing discrimination for their source of funds
 - a. Counseling—many do not know they have rights
 - i. Counselors often educate landlords before having to sue them

- b. Investigations and enforcement—HOME does fair housing testing to test for disparate treatment
 - iii. Dr. Elizabeth Johnson, Alexandria Human Rights Commission
 - 1. The Alexandria HRC submitted 34 legislative priorities:
 - 2. 6 priorities to recognize and strengthen state partnerships with localities
 - 3. 11 priorities to preserve and expand local authority and funding for localities
 - 4. 5 priorities to protect and support underserved populations
 - a. Commissioner asks about how they did so in regard to housing
 - i. The HRC supported legislation that prevented evictions and protected individuals and families who are housed and are facing legislative housing challenges; reinstated the 14-day payer quit notice; required full fee disclosure and transparency and required any fee increases to coincide with the terms of the lease; and required critical lease information be made available in languages other than English; and established a minimum amount owed for eviction filings
 - ii. Alexandria's high school has at least 15 different primary languages
 - b. Commissioner asks whether there is a coalition of Virginia HRCs that raises points directly to the General Assembly
 - i. The Virginia Association for Human Rights, now dissolved, presented information to each other (since commissions must each individually raise concerns to their localities to raise to the state); this meeting is similar to VAHR
 - ii. Organizations like HOME can raise information directly to the General Assembly
 - iii. Mr. Deeds adds that there are also groups covering more specific areas that raise information to the Assembly, like reproductive rights, or racial equity
 - 5. 6 priorities to enhance public engagement, health, and safety
 - 6. 6 legislative priorities to improve, promote, and encourage clean energy investment
 - 7. Dr. Johnson says she can send the Commission the draft list
- iv. Katrina Callsen, Virginia House of Delegates District 54
 - 1. Got eight bills signed
 - 2. The City Council salary bill went through (should hopefully lead to a more representative government)
 - 3. Beginning her legislative packet for this year
 - a. Foster care legislation was her focus last time; now, criminal justice reform is her focus that will be of interest

- to the HRC
 - b. Is on Courts committee; going to chair the Black Legislative Caucus Criminal Justice Policy committee
- 4. Had a meeting about a comprehensive probation reform bill that would give more support to those leaving incarceration for next year
- 5. 1% sales tax was vetoed last year; going to pursue again
- 6. Had a promising conversation about drawing from Medicaid funds for homelessness and gun violence prevention programs
- 7. Electronic meetings expansion got passed earlier this year
- 8. Currently researching:
 - a. Requiring police vehicles to have external defibrillators
 - b. Using Medicare/Medicaid funds for homelessness and affordable housing
 - c. Allowing Jaunt to do collective bargaining
 - i. Thinks there is a reading of existing statute that they should already be able to since Charlottesville CAT drivers can collectively bargain but Jaunt cannot
 - ii. This confirmation was rolled into a different bill that died
 - d. Youth court docket, diversion program for juveniles going through the court system
- 9. Has opened an office nearby with Sen. Creigh Deeds; invites Commissioners to meet
- 10. Commissioner asks about efforts to criminalize homelessness
 - a. This is a new case to look into; important to be proactive
 - b. Even if the decision occurs nationally to give states the choice, it will likely not happen in Virginia provided Democrats keep the majority
- 11. Commissioner asks about probation reform bill
 - a. Working with the organization Reform Alliance
 - b. About incentivizing good behavior, like for getting education or maintaining employment or completing a substance abuse program
 - c. Second biggest cause of mass incarceration is probation violation
 - d. Another Commissioner asks about intersection between re-entry and housing barriers
 - i. There is an understanding that it will be necessary to re-examine how to define success during re-entry
- v. Creigh Deeds, Virginia State Senator District 11
 - 1. Agrees that the bills legislators submit often follow the committees they are on
 - 2. Currently chairs the Commerce & Labor committee, so he is working on multiple clean energy bills
 - a. VA passed the Clean Economy Act in 2020 to require

decarbonization of energy production by 2050—this is a human rights issue

- b. There is a need for radically expanding renewable energy to remove carbon from energy production by 2050
 - 3. This past year, he had bills related to wind and solar energy that did not survive
 - a. Needs to expend energy in the most efficient areas to get things done
 - 4. Chairs the Behavioral Health Commission, which deals with rights and services for those mental illnesses and substance abuse
 - a. Trying to develop more services
 - 5. Is also on the Senate Finance and Appropriations committee and chairs the Health and Human Resources subcommittee
 - a. Helps put budgets together and make budget amendments
 - b. Working with Medicaid shortfalls, dental benefits in Medicaid, etc.
 - 6. Will also be working on some campaign finance reform
 - vi. Will follow up with Virginia Jenkot, Virginia Beach Human Rights Commission, and Michael Simms, Fairfax County Office of Human Rights & Equity Programs, who had to leave due to technical difficulties
 - b. Annual Work Plan check-in
 - i. July: Waiting for Ordinance amendments before finalizing training opportunities for HRC public hearing
 - ii. August: Commission confirms next work session on 8/1/24 in CitySpace
 - 1. Will talk about 8/15/24 regular meeting during the work session
 - c. New business
 - i. Outreach Specialist and Chair are still working on the poll to the public
 - 1. Should be out next week
- 6. MATTERS BY THE PUBLIC**
- a. PUBLIC COMMENT
 - i. None
 - b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. None
- 7. COMMISSIONER UPDATES**
- a. None
- 8. NEXT STEPS**
- a. Upcoming meetings:
 - i. 8/1/24 work session: drafting legislative recommendations
 - ii. 8/15/24 regular meeting: approving legislative recommendations
 - b. Lily, Ernest, Wolfgang: work on public poll
 - i. Commissioners should let Chair know if interested in providing feedback on the public poll
- 9. ADJOURN**
- a. Meeting adjourned at 8:05 pm