

Council to End Homelessness in Durham
November 15, 2018 Minutes

Attendance: Sheldon Mitchell (UMD), Valaria Brown (HNH), Phill Jordan (NIS), John Tuong (FMF Intern), Harvey Hinton III (CAARE), Malcolm White (Alliance BHC), Charita McCollers (LCHC-HCH), Catherine Pleil (FMF), Rikki Gardner (HNH), Ann Tropicano (FMF), Andrea Mikesell (DCRC), Odie Roberson (LCHC-HCH), Doneicia Johnson (Durham VA), Lloyd Schmeidler (DCD), James Davis, (NIS), Darryl Brooks (UMD)

The meeting was called to order at 10:09AM with welcomes and introductions by Chairman Sheldon Mitchell. While reviewing the minutes from the October meeting, Chairman Mitchell noted the recent positive vote on the city lots and affirmed that affordable housing will be in the plan. Highlights from the minutes were pointed out. Errors noted were the misspelling of Valaria's name with that correction the motion to approve was made with that correction, the motion to approve the amended minutes was made by Catherine Pleil, seconded by Lloyd Schmeidler, and unanimously approved.

1. HUD's Equal Access to Housing Rule- Lloyd introduced James Davis and explained that HUD requires training (ex. DV and HUD Policies) and that the group determined that CEHD was a good forum to host said trainings. Mr. Davis gave an overview of the Equal Access Rule and did note that this is likely not the final iteration of the rule. The presentation was started with the song Everyday People, by Sly & The Family Stone. Mr. Davis pointed out we are all unique individuals and are all deserving.

The 2016 rule is being talked about today. Shelters are subject to anti-discrimination laws and there are seven (7) protected classes: race, gender, color, religion, sex, disability, familial status (having children under 18 in a household, including pregnant women), national origin and it is likely that amendments related to LGBTQ protections will be forthcoming. Anyone who feels they are being discriminated against due to nonconformity likely has a fair housing case.

There is not consistent interpretation of discrimination related to fair housing by the courts. There are three (3) ways a person can be considered disabled: 1) they have a disability, 2) they are perceived or regarded to have a disability, or 3) they have a history of having a disability (one or more physical and/or emotional impairments that affect life functions. If you do not allow someone that comes to you to live in your dwelling and your perceptions is that they are, "not right," this gives them a case to pursue if they say this is what happened.

Reasonable accommodation and reasonable modifications are different; modifications apply to the physical structure of a dwelling and accommodations are the bending of the rules. Usually the tenant requesting the modification tenant pays for such. If after March of 1991 or depending on the structure of Federal funding, the provider might be responsible.

Regarding Substances:

Substance use disorder is considered a disability, and the individual can claim their denial for housing is because of history of use. If there is current alcohol use, the landlord cannot deny but if there is current use of illegal substances a potential tenant can be denied. The manufacturing of a substance is also grounds for denial.

If sobriety is a tenet of the program or place and there are specific lease terms that everyone needs to comply with the Landlord/Tenant Law is there to support you. This is also true for shelters

Someone who occupies a dwelling even without a lease has fair housing rights if the complaint against them is based on their membership in a protected class and not that they are there illegally.

An example was shared: Let's say someone is prescribed mental health medications for a disorder that requires medication to manage and the man stops taking the meds, assaults his wife, goes to the park and gets arrested. Now, the wife receives a notice that their lease is going to be terminated. The husband goes to the leasing office, and has a **provisional plan** to address the behavior; a 30-day injection of medication by his provider and he is engaged in drug treatment, if he asks for Reasonable Accommodation, it ought to be approved.

Reasonable is the relationship between the disability and the behavior; there must be a provisional plan in place that service providers or support persons will sign demonstrating their agreement of the services they will provide. The plan must include reliable information from a credible source.

Shelters are dwellings.

The reverse of protected classes is not true. For example, someone cannot make a claim that they were denied because they do not have children or because they do not have a disability.

If a property provider lives at the property and shares the roof and shared space they can deny a tenant for having children. It was also stated that it is the number of **occupants** and not number of children that ought to be considered when an application for housing is being reviewed.

The group was shown a picture of the Genderbread person.

The power point will be scanned and sent out electronically. Members were encouraged to email James or Phill directly to request Fair Housing Training.

2. Scheduling Harm Reduction Training - Sheldon brought the notion of scheduling a training for providers and frontline staff and asked for feedback. Hanaleah shared that she initiated the request for this group and for the HSAC and will follow up with the NC Harm Reduction Coalition to confirm after CEHD provides her with more information. Several points were considered and the outcome is that Rikki will create and send out a Doodle Poll that includes general days and times to the CEHD group and members can forward it to their co-workers. There was agreement to aim for dates in February.
3. Nominations for 2019 CEHD Officers --- Sheldon reminded the group that December is the time to elect new officers and the group agreed to accept nominations today and to also talk to others they would like to have considered for the positions of Chair, Vice-Chair, and Secretary. Andrea Mikesell was nominated for Secretary; Malcolm White was nominated for Chair, and Harvey Hinton for Vice-Chair. All agreed to accept the nominations with the understanding and desire that others also be nominated for the positions. An email blast will be sent out so that those not in attendance today have the opportunity to nominate themselves or someone else who might have a willingness to serve. Members are encouraged to reach out to Ann, Rikki, or Sheldon before the vote at the December meeting.
4. Agency Announcements: Lloyd shared that Spencer and DCIA are working on the Homeless Memorial scheduled for December 20th at 6 PM at Durham Central Park. Please contact Spencer with any names of those we'd want to include.

Charita reported that UNC's School of Social Work will have an online platform for continued education for providers regarding Gender Identity 101. She further stated that she will share the information about how to access this resource when it is given to her. It was also suggested that the school might be willing to come to a CEHD meeting to share practices and resources.

Rikki announced that Housing For New Hope is still conducting their Executive Director search and reminded members to visit the HNH website.

Sheldon reminded the group that December's meeting will be more of a time for reflection and fellowship and that an email will be sent out reminding members to bring a refreshment to share.

Adjourned- 11:33 AM