



**Idaho Council on Developmental Disabilities
SPECIAL INTERIM COUNCIL MEETING
Zoom Video Conference 6:00-7:30pm
November 14, 2019 APPROVED Meeting Minutes**

Thursday – November 14, 2019

| Council Members: | | |
|---|----------------------------|-------------------------|
| Art Evans - absent | Emily Petersen - absent | Deedra Hunt |
| Carly Saxe | La Donna Tuinstra | Adrienne Seamans |
| Charlie Silva - absent | Ian Bott | Michael Sandvig |
| Claudia Suastegui- absent | Jacob Head | Nanna Hanchett - absent |
| Colleen Sisk - absent | Jacqueline Watson - absent | Natali Pellens |
| Dina Flores-Brewer- absent | James Steed, CHAIR | Valerie Hurst - absent |
| Alan Hansen - absent | Julie Fodor - absent | |
| Staff Members: | | |
| Christine Pisani | Melissa Morales | Tracy Warren |
| Laurie Lowe | Marieke Edwards | Trisha Hammond |
| Guests: | | |
| Kathy Griesmeyer, ACLU (presenter of issue) | | |

Welcome: James Steed called the meeting to order at 6:03pm

Christine Pisani, Council Director – Called Roll of Members present. Review of Agenda
Council member roll call - six (6) members present at start of meeting.

ACTION: Approve Agenda

- Danielle Reff “DR” moved to accept the agenda as presented.
- Jacob Head seconded.
- Motion Passed.

DR reviewed the meeting ground rules.

Review of Expedited Eviction Policy Issue

Kathy Griesmeyer, Public Policy Director of American Civil Liberties Union (ACLU) of Idaho, presented information about the upcoming legislative bill. First became aware of a previous bill in 2018. Makes it easier for landlords to evict people for a variety of reasons and put it through court quickly making it difficult for tenants (renters) to get a defense put together. Concern for tenant rights.

In 2018, ACLU connected with a number of organizations including Idaho Fair Housing, the Council, a variety of other advocacy organizations, and independent attorneys who work on landlord/tenant disputes. Advocates were not able to come to an agreement with the Apartment Association. Had over 150 people show up at public hearing during

2018 session. Overwhelmingly people testified in opposition. The House committee voted in favor of the bill with concern for property rights. The bill died on the House floor because of the inclusion of commercial property (businesses).

Summary: Within two weeks a tenant could get a notice of eviction, it could go to court, and the individual could be evicted. Very difficult to get an attorney, gather evidence, and other information to defend against the said reason for eviction.

Anticipate that in 2020 the bill will focus on residential rentals. Lawmaker concern for commercial renters (businesses) has been removed in the new bill.

Will be elevating the stories of individuals who have been impacted. The relationship to lack of affordable housing the possibility of increasing homelessness.

Questions:

Q: If a person gets forced out and they don't have money to replace a damaged carpet, could they be billed a large amount in "damages" and fees?

A: Yes. You could be billed for damages and exorbitant fees. Some people are made to pay fees for cleaning etc. that have been padded very much.

Natali – legally the landlord can only bill you for the life left in the carpet.

Q: Why isn't HUD (Housing and Urban Development) involved in stopping this legislation?

A: HUD works closely with Intermountain Fair Housing Council who has been working with ACLU to stop bill. They have documented cases of the Apartment Association practicing housing discrimination and other things.

Q: What about Section 8 Housing – could that be affected. What about people who use Section 8 to support their housing?

A: I don't know. A good question to ask Intermountain Housing Council. There are federal laws that drive Section 8 and we hope that federal law trumps state law. But an eviction, even if wrongfully evicted, goes on your record and may affect your ability to rent in the future.

Section 8 (housing) is supposed to get information about what is happening and may get involved in helping you.

Q: Could you use the argument that the court fees etc. would become too expensive and have an impact on the state? Might resonate with conservative legislators.

A: Past research showed that the impact on judges' schedules would be significant.

Q: Would this make it even more difficult for people with disabilities who need accessible and affordable housing?

A: Yes, and it would be very problematic for folks with accessibility needs to find housing within such a quick timeline. It can be very hard to find housing that meets your needs.

Discussion about challenges in finding affordable housing and accessible housing in all areas of the state.

Kathy has provided a fact sheet.

Due Process Rights – Right now, Idaho has an expedited eviction timeframe for only one reason – failure to pay rent. People are given a 3-day notice to fix the reason for eviction and then 12 days to defend eviction notice. When a landlord is alleging that you used drugs or done something else against your lease, you have a certain amount of time to find an attorney and get your defense together. It is much more complicated to defend your case for anything other than failure to pay rent, so people need more time. Discussion of other reasons a tenant might get an eviction notice.

Mike said there are already civil remedies for landlords to evict people. This bill is about being unfair to tenants. Natali agreed and said that it just requires the landlord to put a case together.

Landlords have complained that the current policies and process take too long to be able to evict people and it is costly. In Utah, they passed a similar bill. They made millions of dollars in making it easier to evict and they have publicized this.

ACTION: Set Priority

- Ian Bott moved to set this issue as a priority two (2)
- Danielle Reff “DR” seconded the motion.
- Roll call vote was taken. All ten (10) members present voted yes.
No abstentions, no nays.
- Motion passed.

ACTION: Adjourn Meeting

- Mike Sandvig moved to adjourn the meeting.
- Ian Bott seconded.
- Motion passed.

Meeting adjourned at 7:05pm.